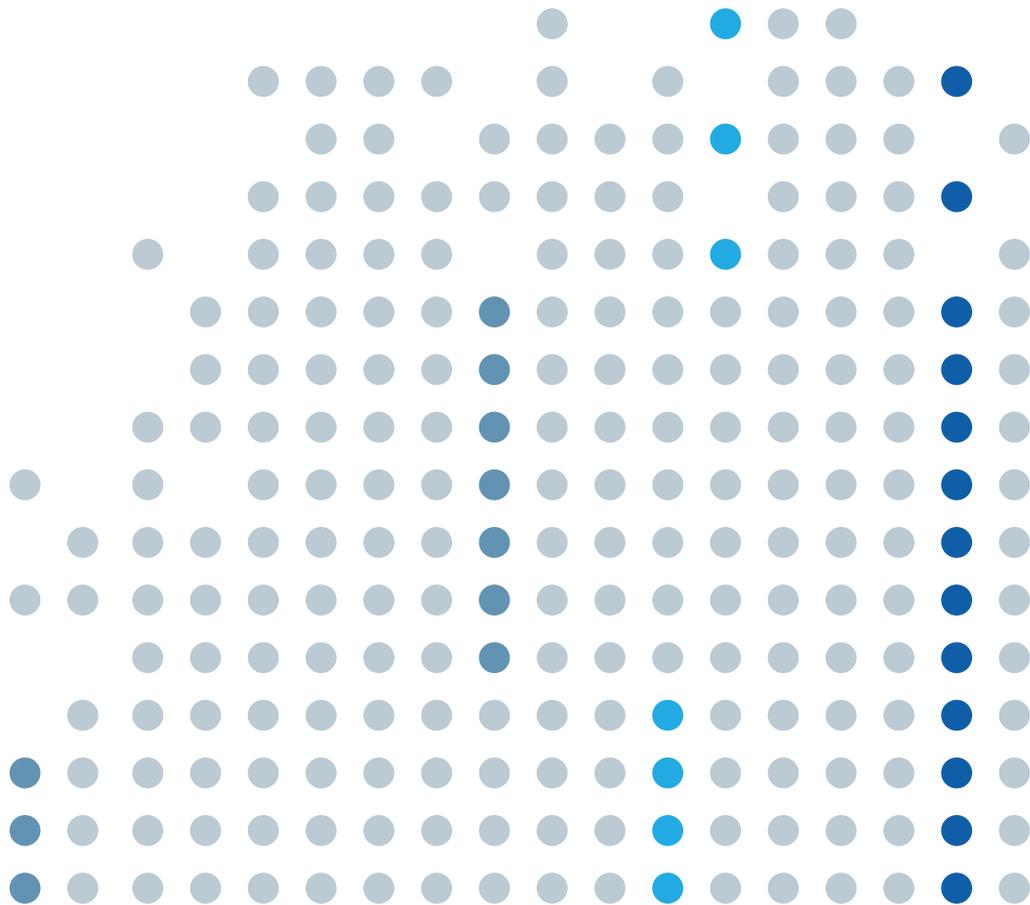


European
Policy
Institute.
Skopje

SHADOW REPORT FOR CHAPTER 23

FOR THE PERIOD BETWEEN OCTOBER 2021 AND SEPTEMBER 2022



SHADOW REPORT FOR CHAPTER 23

FOR THE PERIOD BETWEEN OCTOBER 2021 AND SEPTEMBER 2022



SHADOW REPORT FOR CHAPTER 23

FOR THE PERIOD BETWEEN OCTOBER 2021 AND SEPTEMBER 2022

Publisher:
European Policy Institute, Skopje

About the publisher:
Simonida Kacarska, Ph.D.

Editors:
Simonida Kacarska, Ph.D.
Ardita Abazi Imeri, Ph.D.

Authors:
Angela Delevska
Beba Zhagar

Translation from Macedonian to English:
Daniela Brajkovska

Graphic design and printing:
Relativ

Skopje, December 2022



This Report was prepared under the Project Building bridges for a common future: Rule of Law in View of EU accession», funded by the European Union. The contents of this Report is the sole responsibility of the authors and may in no way be considered to represent the views and opinions of the European Union.



Content:

7	Introduction
9	Methodology
11	1. Judiciary
13	Strategic Documents
15	Governing Bodies
20	Independence and Impartiality
30	Accountability
37	Professionalism and Competence
43	Quality of Justice
52	Efficiency
61	2. Fight against Corruption
64	Institutional Framework
64	State Commission for the Prevention of Corruption
66	Public Prosecution
72	Legal Framework
75	3. Fundamental rights
76	The Case Law of the European Court of Human Rights
78	Ombudsman
80	Torture or other Cruel, Inhuman or Degrading Treatment or Punishment
82	Prison and Pre-trial Detention
85	Personal Data Protection
88	Freedom of Thought, Conscience and Religion
89	Freedom of Expression
89	Pressure on Journalists
95	Vulnerable Groups and the Principle of Non-Discrimination
95	Commission for Prevention and Protection against Discrimination
97	Persons with Disabilities
103	Gender
109	Hate Speech
110	Hate Crimes
112	LGBTI+
114	Roma
119	Reference Literature



List of Abbreviations:

AAAMS	Agency for Audio and Audio-visual Media Services
APDP	Agency for Personal Data Protection
AKMIC	Автоматизиран информациски систем за управување со судските предмети
ACCMIS	Automated court case management system
APRFAIPC	Agency for protection of the right to free access to information of public character
AJPP	Academy for Judges and Public Prosecutors
BIRN	Balkan investigative reporting network
SCRNM	Supreme Court of the Republic of North Macedonia
GRECO	Group of States Against Corruption
SSO	State Statistical Office
SLI	State Labour Inspectorate
SCPC	State Commission for Prevention of Corruption
EIGE	European Institute for Gender Equality
EJTN	European Judicial Training Network
EC	European Commission
ECHR	European Convention on Human Rights
ENER	Single national electronic register of regulations
EPI	European Policy Institute
ECtHR	European Court of Human Rights
EU	European Union
ERRC	European Roma Rights Centre
LAAVMS	Law on Audio and Audio-visual Media Services
LCP	Law on Criminal Procedure
AJM	Association of Journalists of Macedonia
PPORNM	Public Prosecutor's Office of the Republic of North Macedonia
CC	Criminal Code
PCF	Penitentiary correctional facility
CPPD	Commission for Prevention and Protection against Discrimination
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
LGBTI	Lesbian, gay, bisexual, trans and intersex community

MoI	Ministry of the Interior
MYLA	Macedonian Young Lawyers Association
MRT	Macedonian Radio-Television
MES	Ministry of Education
MoJ	Ministry of Justice
MLSP	Ministry of Labour and Social Policy
OSCE	Organization for Security and Cooperation in Europe
OJO	Basic Public Prosecutor's Office
BPPOCC	Basic public prosecutor's office against organized crime and corruption
RIA	Regulatory Impact Assessment
PIJA	Platform for investigative journalism and analysis
RM	Republic of Macedonia
RNM	Republic of North Macedonia
USA	United States of America
SIA	Sector for Internal Affairs
CMEM	Council of Media Ethics of Macedonia
SEP	Secretariat for European Affairs
CEPEJ	European Commission for the Efficiency of Justice
SPP	Public Prosecutor's Office for the prosecution of criminal acts related to and resulting from the content of the illegal monitoring of communications (Special Public Prosecutor's Office)
CPPRNM	Council of Public Prosecutors of the Republic of North Macedonia
ICT Council	Council for coordination of information and communication technology at justice system bodies
IUJMW	Independent Union of Journalists and Media Workers
JCRNM	Judicial Council of the Republic of North Macedonia
TAIEX	Technical Assistance and Information Exchange
FPO	Financial Police Office
HCHR	Helsinki Committee for Human Rights
SWC	Social Work Centre
ERA	Academy of European Law
SSR	Training and Study Centre for the Judiciary of the Kingdom of the Netherlands



Introduction

This Shadow Report streamlines in a coherent unity all findings, conclusions and recommendations that resulted from monitoring in the areas covered by Chapter 23 – Judiciary and Fundamental Rights. This is the seventh such report published by the European Policy Institute (EPI) - Skopje, taking into account comments and opinions of non-governmental organizations. The previous six Reports covered the following periods: October 2014 – July 2015,¹ July 2015 – April 2016,² May 2016 – January 2018,³ June 2018 – March 2019,⁴ April 2019 – March 2020⁵ and April 2020 – September 2021.⁶

This Report covers the period from the beginning of October 2021 to the end of September 2022. The Report presents data that are relevant even before October 2021, if they were needed for contextualization or clarification of news in the current reporting period, and which are relevant for the reporting period. The reporting period covered by this Report corresponds with the reporting period of the European Commission (EC) for the Republic of North Macedonia. This Report follows the structure of Chapter 23, in pursuance with the EC Report. At the end of each area, recommendations and main conclusions are highlighted in a separate framework.

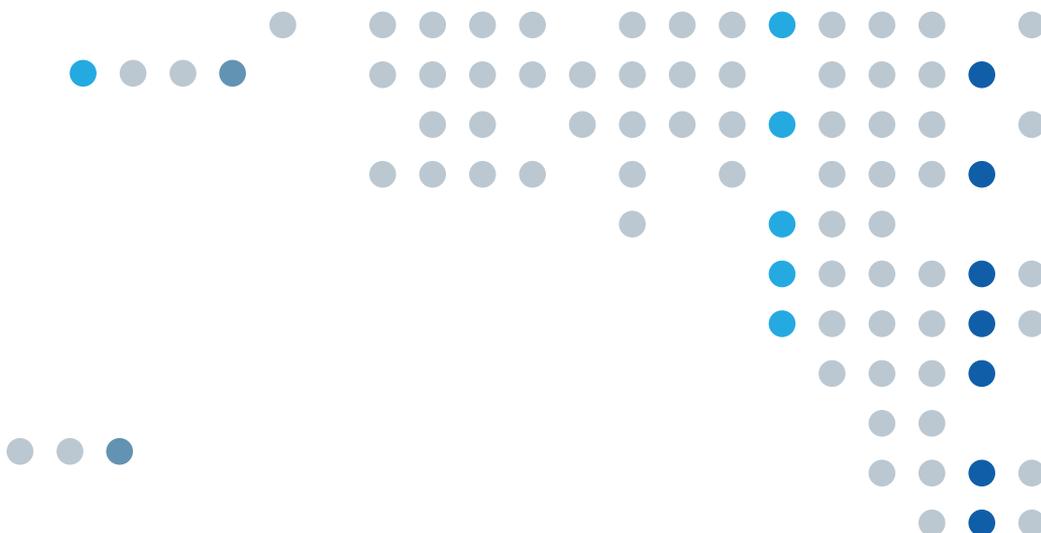
-
- 1 Neda Chalovska et al., "Judiciary and fundamental rights in the Republic of Macedonia", Helsinki Committee for Human Rights of the Republic of Macedonia, 2015, <https://epi.org.mk/docs/Analiza_Mreza.pdf>.
 - 2 Neda Chalovska, Voislav Stojanovski and Aleksandar Jovanovski, "Shadow Report on Chapter 23 for the period from July 2015 to April 2016", Helsinki Committee for Human Rights of the Republic of Macedonia, 2016, <https://epi.org.mk/docs/lzvestaj_mk.pdf>.
 - 3 Velimir Delovski et al., "Shadow report on Chapter 23 for the period from May 2016 to January 2018", Helsinki Committee for Human Rights of the Republic of Macedonia, 2018, <https://epi.org.mk/docs/Mreza23_izvestaj%20vo%20senka_2018.pdf>.
 - 4 Iva Conevska et al., "Shadow report on Chapter 23 for the period June 2018 - March 2019", 2019.
 - 5 Iva Conevska and Ismail Kamberi, "Shadow report on Chapter 23 for the period June 2019 - March 2020", European Policy Institute - Skopje, 2020, <https://epi.org.mk/wp-content/uploads/2020/05/lzvestaj_vo_senka_2020.pdf>.
 - 6 Iva Conevska Vangelova and Ismail Kamberi, "Shadow Report on Chapter 23 for the period April 2020 – September 2021", European Policy Institute - Skopje, December 16, 2021, <https://epi.org.mk/post/20027>.

During the reporting period, the country started accession negotiations with the European Union, after the lifting of the Bulgarian blockade and after the acceptance of the “French proposal”, accompanied by the adoption of the negotiation framework.⁷ Subsequently, on 27 September 2022, the explanatory meeting for Chapter 23 “Justice and fundamental rights” was held in Brussels, concluding the explanatory screening for the first cluster, “Fundamentals”.⁸ The bilateral screening under Chapter 23 took place on 1-2 December 2022, when North Macedonia presented the degree of compliance with EU acquis, the institutional set-up for implementing harmonized laws, plans for further compliance, building institutional and administrative capacities, as well as the necessary human, financial and IT resources for the implementation of European standards. In the next period, it will be necessary to undertake visible activities that will produce measurable results.

This Report was prepared within the framework of the project “Building bridges for a common future: The rule of law in view EU accession”. The project is financed by the European Union and aims to help design sustainable reforms of the rule of law in view of accession to the European Union.

⁷ “Parliament votes conclusions on French proposal,” Deutsche Welle, July 16, 2022, <https://bit.ly/3hPlwbk>.

⁸ “Maricic: ‘Judicial reforms are key to accelerating European integration’”, official website of the Secretariat for European Affairs, September 27, 2022, <https://www.sep.gov.mk/post/?id=13206#.Y7MsN3bMJPY>.



Methodology

During the preparation of this Report, the methodology for monitoring areas that make the focus of work of “Network 23” - Justice, fight against corruption and fundamental rights, ⁹ developed in 2015 and already applied to previous reports, was employed. It included research of official sources of state and justice institutions, analysis of media coverage of certain developments in these areas in the given period, numerous analyses and reports prepared by civil society organizations, as well as data obtained through sent requests for access to information of public character.

For the preparation of this Shadow Report, consultations were also held with civil society organizations, institutions and experts. Consultations were first held regarding submission of relevant analyses, reports and research related to Chapter 23. Then, on 25 November 2022, a discussion on the Report was held, which made it possible to obtain significant, substantive input from representatives of relevant state, judicial institutions and civil society. organizations in the finalization of this document, whereby their observations, views and comments have been incorporated into this Shadow Report.

9 Natalija Shikova (ed.), “Methodology for monitoring and evaluation of public policies from Chapter 23 – justice and fundamental rights from the legislation of the European Union” (Centre for Change Management), <https://epi.org.mk/docs/Metodologija_mk.pdf>.



1. Judiciary



In the reporting period, the implementation of reforms in the justice sector was intensified in accordance with the entry of the 2017-2022 Justice Sector Reform Strategy in the final stage of its implementation, as well as after the beginning of the country's negotiations for accession to the EU.

Despite the intensive legislative activity in the past years, processes of drafting and adoption of certain legal solutions have not yet been fully completed. The reasons for this state of affairs can be partly attributed to the COVID-19 pandemic, which changed the Government's priorities and slowed down the dynamics of the overall reform processes, but a significant role in the delay was also played by the very nature of the laws, which require a particularly careful approach as regards any amendments and additions. Furthermore, the procedure for adoption of certain legal decisions, adopted by the Government and submitted to the Parliament, has almost completely stopped.

Due to insufficient cooperation between in-line Ministries,¹⁰ when the Law on Labor Relations was amended, there was a complete distortion of human resources in the judiciary, retiring a large number of judges and public prosecutors, which affected the efficient operation of judicial institutions. On the other hand, the work of judicial institutions in specific cases of public interest caused significant negative reactions among professionals and the general public, which negatively affected the confidence of citizens in the reform processes and in the judiciary in general.

¹⁰ Ministry of Labour and Social Policy and Ministry of Justice.

STRATEGIC DOCUMENTS

During the reporting period, the 2017-2022 Justice Sector Reform Strategy entered the fifth, last year of the planned period for its implementation. The monitoring of the implementation of the Strategy continued in the reporting period, through the Council for the Implementation of the Strategy for Justice Reforms, which held two sessions in December 2021 and in April 2022. Out of a total of 227 activities determined in the Strategy, more than 118 activities have been fully implemented.¹¹ This especially refers to activities that provided for amendments to existing laws or the adoption of new laws (so-called regulatory measures), which have already been implemented or are in the final stages of their adoption. However, some of the processes of drafting and adopting certain legal solutions have not yet been completed¹² or there are challenges in the application of those that have already been adopted.¹³ On the other hand, the obligation to provide an independent court budget in the amount provided for by the Law on the Court Budget is still far from fulfilled, and no significant actions have been taken to improve the situation with human resources, through the implementation of the Human Resources Strategy for the Judicial Network¹⁴ and the Human Resources Strategy for the Public Prosecutors' Network,¹⁵ which will have a negative impact on the capacities for reforms. Certain activities related to trainings, harmonization of the judicial practice, personnel and technical re-equipment, are continuously pursued and they will last until the end of the implementation of the 2017-2022 Justice Sector Reform Strategy.

With the election of the new Government¹⁶ and the appointment of a new Minister of Justice, the drafting of the new 2023-2027 Strategy for the Justice Sector was announced,¹⁷ and the Working Group had its first constitutive session on 5 September 2022.¹⁸ The Working Group consists of 31 members and includes representatives from the academic community,¹⁹ the Ministry of Justice, the Ministry of Finance, the Secretariat for European Affairs (SEP), the Academy of Judges and Public Prosecutors (AJPP), the Office of the President of the Republic of North Macedonia, the judiciary

11 Ministry of Justice, "Annual Report on the Implementation of the Justice Sector Reform Strategy 2017-2022", 2021, <https://bit.ly/3Wl0mX>.

12 Criminal Code, Law on Criminal Procedure, Law on Litigation Procedure, Law on Justice for Children, etc.

13 Especially in relation to the application of certain provisions of the Law on Public Prosecution, the Law on the Judicial Council of the Republic of North Macedonia and the Law on free legal aid. Blueprint group for judicial reforms, "Second semi-annual monitoring brief: Monitoring the implementation of the Justice Sector Reform Strategy 2017-2022 - monitoring period: January 2022 - June 2022", European Policy Institute - Skopje, September 19, 2022, <https://bit.ly/3NnEySR>.

14 "Human Resources Strategy for the Judicial Network", September 2020, <https://bit.ly/3trhzNE>.

15 "Human Resources Strategy for the Public Prosecutor's Network", October 2020, <https://bit.ly/3GcekBs>.

16 "The Parliament elected the new Government, Kovacevski is the Prime Minister", Radio Free Europe, January 16, 2022, <https://bit.ly/3x6VfQr>.

17 "New Justice Strategy 2023-2027 announced by Tupanceski at a meeting with Gir", 360 degrees, February 9, 2022, <https://bit.ly/36VQg6D>.

18 "Constitutive meeting of the working group for the development of the new judicial strategy 2023-2027", official Facebook page of the Ministry of Justice of the Republic of North Macedonia, September 5, 2022, <https://bit.ly/3gYogUg>.

19 Specifically, the Macedonian Academy of Sciences and Arts (MANU), the Faculty of Law "Justinian the First" - Skopje at the University "St. Cyril and Methodius" and the Faculty of Law at the State University in Tetovo.

and the Public Prosecutor's Office,²⁰ then representatives of the State Attorney's Office of the Republic of North Macedonia, representatives of relevant chambers,²¹ as well as representatives of civil society organizations that are part of the Blueprint Group for judicial reforms.²² In addition, in order to more efficiently draft the Strategy, members of the Working Group are divided into subgroups according to three main focus areas, namely judicial authorities and e-justice, access to justice and legal framework.²³ Although a timely adoption of the new strategy is necessary, a realistic understanding of the actual situation in the judiciary and the current implementation of existing strategy are also necessary, as well as overcoming obstacles that contribute to the delay of activities foreseen in it, all with the aim of proposing appropriate future guidelines and measures.

With the entry of the 2017-2022 Justice Sector Reform Strategy into the fifth, last year of the planned period for its implementation, the largest number of implemented activities are those that foresee amendments to existing laws or the adoption of new laws (the so-called regulatory measures). However, some of the processes of drafting and adopting certain legal solutions have not yet been completed or there are challenges in the application of those that have already been adopted. The obligation to provide an independent court budget in the amount set forth under the Law on the Court Budget is still far from fulfilled, and no significant actions have been taken to improve the situation with human resources. Therefore, although it is necessary to adopt the new 2023-2027 Justice Sector Reform Strategy in a timely manner, it is also necessary to have a realistic understanding of the actual situation in the judiciary and the implementation of the existing strategy so far, as well as to overcome obstacles that contribute to the delay of activities foreseen therein, all with the aim of proposing appropriate future guidelines and measures.

20 Members of the Judicial Council of the Republic of North Macedonia, the Council of Public Prosecutors of the Republic of North Macedonia, the Association of Judges of the Republic of North Macedonia, the Association of Public Prosecutors of the Republic of North Macedonia, the Association of Court Administration of the Republic of North Macedonia, the Judicial Budget Council.

21 The Bar Association of the Republic of North Macedonia, the Notary Chamber of the Republic of North Macedonia, the Chamber of Enforcement Agents of the Republic of North Macedonia, and the Chamber of Mediators of the Republic of North Macedonia.

22 Ministry of Justice, Justice Sector, "Decision on the establishment of a working group for the preparation of a Strategy for the Justice Sector with an Action Plan for 2023-2027", 25 July 2022, unpublished.

23 Ministry of Justice, "Minutes of the first constitutive meeting of the working group on the Strategy for the Justice Sector with an Action Plan for 2023-2027", 12 September 2022.

GOVERNING BODIES

In order to promote the independence and impartiality of the justice system, in the past period (2019-2020) as measures aimed at the implementation of the Justice Sector Reform Strategy,²⁴ a new Law on the Judicial Council²⁵ and the Law amending and supplementing the Law on the Council of Public Prosecutors were adopted.²⁶

Regarding the implementation of the Law on the Judicial Council in the selection of members of the Council,²⁷ during the reporting period, for the first time following numerous recommendations, judges have been given the opportunity to directly submit a request to institute a procedure for disciplinary responsibility of a member of the Judicial Council of the Republic of North Macedonia (JCRNM) whom they have chosen.²⁸ Such a request can be submitted by at least 20 judges or each member of the Judicial Council, with the right to vote.²⁹ However, the Law, or certain of its provisions do not foresee any deadlines, which leaves room for possible corrupt practices, influence on the members of the JCRNM or, in turn, the appearance of conflict of interests, contrary to legal provisions.³⁰ Such legal gaps are found in Article 32, which refers to the temporary removal from the position of a member of the JCRNM, as well as in Article 35, regarding the submission of a request to institute disciplinary proceedings for a member of the Council.³¹ Thus far, no request has been submitted to institute a procedure for disciplinary responsibility of a member of the Judicial Council.

In accordance with the Government's commitment to the fight against corruption and the adoption of the 2021-2025 National Strategy for the Prevention of Corruption and Conflict of Interest by the State Commission for the Prevention of Corruption (SCPC), on 7 September 2022, the JCRNM³² adopted a Program and an Action Plan for prevention and monitoring of corruption in the judiciary covering the 2022-2025 period.³³ The Program and the Action Plan aim to reduce corruption, improve the integrity of judges, transparency and accountability, thereby ensuring higher public confidence in the judicial system.³⁴ In the Program, the JCRNM has shown all the weaknesses of the judiciary

24 "Strategy for reform of the justice sector 2017-2022 with Action Plan" (n 18).

25 "Law on the Judicial Council of the Republic of North Macedonia", "Official Gazette of the Republic of North Macedonia", no. 102/2019.

26 "Law amending and supplementing the Law on the Council of Public Prosecutors", "Official Gazette of the Republic of North Macedonia", no. 42/2020.

27 Law on the Judicial Council of the Republic of North Macedonia, Article 34 and 35.

28 Institute for Human Rights Skopje, "Report on the monitoring of the work of the Judicial Council: January-June 2022", 2022, <https://bit.ly/3liMvYV>.

29 Law on the Judicial Council of the Republic of North Macedonia.

30 Ibid

31 Ibid

32 State Commission for the Prevention of Corruption, "National Strategy for the Prevention of Corruption and Conflict of Interest 2021-2025", 2020, <https://dksk.mk/wp-content/uploads/2021/01/Nacionalna-strategija-DKSK-KONECNA.pdf>.

33 Judicial Council of the Republic of North Macedonia, "Program and Action Plan for Prevention and Monitoring of Corruption in the Judiciary 2022-2025", September 7, 2022, <https://bit.ly/3DNooPw>.

34 Ibid

that have been existing in the country for years, such as the building of unprofessional connections between public prosecutors, judges and lawyers and abuse of the ACCMIS system through the subjective allocation of cases by managerial staff. However, in the Action Plan, they are listed more as findings, without specifying the actions that would be taken to overcome the situation, nor are there any indicators for measuring the results.³⁵ For this purpose, it is necessary to further develop the Program and the Action Plan in order to precisely determine the activities, the timeframe in which they are planned to be implemented, as well as to determine the degree of risk.³⁶ In addition, in revising the Program and the Action Plan, it is necessary to target members of the JCRNM, who are exempted according to the current program.³⁷

After the amendments that were supposed to extend the term of office of judges and public prosecutors for another three years were not accepted the Parliament,³⁸ at the session held on 1 July 2022, the JCRNM retired 42 judges who met the conditions for an old-age pension, and who had extended their term of office based on the previous legal solution.³⁹ Consequently the issue of the term of office of judges, members of the JCRNM, was opened. Namely, in the Law on the Judicial Council there is no provision for this situation, but on the other hand, a member of the JCRNM from the ranks of judges can only be an active judge. Hence two members retired in July 2022,⁴⁰ and another member retired in August 2022.⁴¹ Subsequently, an announcement was published for the election of judges from the electoral units: the Supreme Court of the Republic of North Macedonia, the Skopje Appellate Court circuit and Administrative Courts and the Gostivar Appellate circuit.⁴² After the establishment of the Commission tasked with conducting the elections⁴³ and with the preparation of candidate lists for the election of members,⁴⁴ on 14 September 2022, the new three members of the

35 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93UCm>.

36 Ibid

37 Ibid

38 "The session to continue the work engagement of judges and prosecutors was interrupted", Macedonian Information Agency - MIA, June 29, 2022, <https://bit.ly/3NYBqgE>.

39 "Announcement from the 407th session of the Judicial Council of the Republic of Macedonia - 01.07.2022", official website of the Judicial Council of the Republic of North Macedonia, <https://bit.ly/3zs1070>.

40 Members of the Judicial Council retired from the ranks of judges - Kiro Zdraev from the Supreme Court of the Republic of North Macedonia and Zoran Teofilovski from the Gostivar Appellate Court.

41 The member of the Judicial Council retired from the ranks of judges - judge Gordana Spirevska from the First Instance Criminal Court Skopje. "Announcement from the 411th session of the Judicial Council of the Republic of North Macedonia - 09.08.2022", official website of the Judicial Council of the Republic of North Macedonia, <https://bit.ly/3Ud3puM>.

42 "Advertisement for selection of members of the Judicial Council of the Republic of North Macedonia from among judges", "Official Gazette of the Republic of North Macedonia", no. 163/2022.

43 The commission for conducting the elections was chosen by lot, namely: one judge from the Supreme Court of RNM, one judge from the Skopje Appellate Court and one representative from the civil society sector. "Announcement from the 413th session of the Judicial Council of the Republic of Macedonia - 24.08.2022", official website of the Judicial Council of the Republic of North Macedonia, <https://bit.ly/3U8Chx9>.

44 "Lists of candidates for the election of members of the Council from among judges", official website of the Judicial Council of the Republic of North Macedonia, August 11, 2022, <https://bit.ly/31PKw0J>.

JCRNM were elected.⁴⁵ The entire procedure was transparent and the the counting of votes for the election of members was shown publicly for the first time.⁴⁶ However, it is more than surprising that a small number of judges had submitted applications for a member of the JCRNM. Thus, for the electoral area of the Supreme Court of the Republic of North Macedonia and the Skopje Appellate Circuit and administrative courts circuits, only one candidate applied, which means that judges did not have the opportunity to choose, but the only option for selection was only the candidate who applied.⁴⁷ In last year's analysis of the Coalition "All for Fair Trials"⁴⁸ based on conducted interviews with judges, it was established that the JCRNM does not enjoy a high opinion of its work by judges. More specifically, the majority of interviewed judges believe that the JCRNM does not have the sufficient legitimacy and credibility to carry out the evaluation of judges. Furthermore, several of the judges point out their concern about the quality and knowledge possessed by members of the JCRNM, the quality of decisions made for the selection of judges at higher instance courts that are not sufficiently reasoned, as well as the way in which judges are dismissed. However, if these perceptions of judges are taken into account, the question arises as to why they do not react and take steps, for example to run for a member of the JCRNM, in order to have the opportunity to make some changes and advance the work of the Council, as well as improve the situation for all judges throughout the country.⁴⁹

As a result of the strong reactions from professional circles, caused by the adoption of the Code of Ethics of Public Prosecutors in May 2021,⁵⁰ that emphasized that certain provisions of the Code can contribute to Public Prosecutor's Office being closed in its work and that they are contrary to the Law on the Public Prosecutor's Office and to the transparency efforts,⁵¹ in December 2021 a meeting was organized with Public

45 "Announcement to the public on the election of members of the Judicial Council of the Republic of North Macedonia from among judges", official website of the Judicial Council of the Republic of North Macedonia, September 15, 2022, <https://bit.ly/3fiHH9Y>.

46 These elections were the first elections in which the counting of ballots was recorded, and it was published on the website of the Judicial Council, which is of particular importance for improving the transparency of the work of the Judicial Council on such important issues. "Counting of votes for the election of members of the Judicial Council from among judges", official website of the Judicial Council of the Republic of North Macedonia, September 16, 2022, <https://bit.ly/3gZ1bB6>.

47 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93Ucm>.

48 Nathalie Petrovska and Darko Avramovski, "Impact of the merit system on judicial independence and professionalism in North Macedonia", Coalition "All for Fair Trials", 2021, <<https://bit.ly/3Yn1qaa>>.

49 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93Ucm>.

50 Council of Public Prosecutors, "Ethical Code of Public Prosecutors in the Republic of North Macedonia", May 20, 2021, <https://bit.ly/3Ga4786>.

51 In particular, public reactions were caused by the provisions of the code according to which "Public prosecutors are obliged to refrain from making statements in public or in private that could cause doubt in their impartiality, and in particular they should not make comments about the cases in which they act or would could act" and "Public prosecutors, when they receive instructions from the higher public prosecutor on how to act in certain cases, will refrain from giving notices or comments to others". According to a part of the professional public, this is contrary to Article 3 of the Law on Public Prosecutor's Office, "(1) The Public Prosecutor's Office is organized according to the principles of hierarchy and subordination. (2) The Public Prosecutor's Office is an independent state authority. (3) Respecting the principles from paragraph (1) of this article must not jeopardize the independence and responsibility of each public prosecutor in the performance of his office." There were also reactions to the provision of the code of ethics according to which "Public prosecutors will not comment in public on the decisions made by CPPRNM".

Prosecutors and the Association of Public Prosecutors, at which it was concluded that the Code should be revised.⁵² At the meeting it was furthermore concluded that the Code should also comply with applicable basic principles, national legislation and international standards, such as the 2005 European Guidelines on Ethics and Conduct for Public Prosecutors (“Budapest Guidelines”) (CPGE).⁵³ However, the Code has still not been replaced.

During the reporting period, the Council of Public Prosecutors of the Republic of North Macedonia (CPRNM) established the termination of the term of office of three members of the Council. ⁵⁴In relation to this issue, elections were announced for the election of one member of the Council from ranks of public prosecutors at the Public Prosecutor’s Office of the Republic of North Macedonia,⁵⁵ as well as for election of two members of the Council, who are elected by the Parliament of the Republic of North Macedonia.⁵⁶ Under the first election, the Council elected a member of the Council from election district number 5 (the Chief Public Prosecutor’s Office of North Macedonia), whose term of office began on 1 March 2022, by which the current composition of the Council works with two members less, i.e., it works with a composition of nine members. instead of the legally provided 11 members. The seats of the members whose term of office ended in March and August 2022, respectively have not yet been filled.⁵⁷

In 2021, for the first time since its constitution in 2008 the CPRNM is financed from its own budget.⁵⁸ The Council was financed until 2021 as part of the budget program of the Public Prosecutor’s Office of the Republic of North Macedonia. Accordingly, during the reporting period, at its sessions, the Council considered the draft projections for the budget of the CPRNM for 2022.⁵⁹ However, the non-transparent publication of the CPRNM budget continued, i.e., the budget was not posted on the CPRNM website.⁶⁰

52 “Revision of the Code of Ethics of Public Prosecutors”, official website of the Program Office of the Council of Europe in Skopje, December 21, 2021, <https://www.coe.int/mk/web/skopje/-/revision-of-the-code-of-ethics-for-public-prosecutors>.

53 “European Guidelines on Ethics and Conduct for Public Prosecutors” (Council of Europe, 2005), <https://rm.coe.int/conference-of-prosecutors-general-of-europe-6th-session-organized-by-t/16807204b5>.

54 In February 2022, the termination of his term of office as a member of the council of Aco Kolevski was confirmed. In March 2022, Angel Solev’s term of office as a council member was terminated, and Ljupco Ivanovski’s term of office as a council member was terminated in August. Contribution to the Shadow Report by the All for Fair Trials Coalition.

55 “Advertisement for the election of one member of the Council of Public Prosecutors of the Republic of North Macedonia from among the public prosecutors of the Public Prosecutor’s Office of the Republic of North Macedonia with electoral seat no. 5”, “Official Gazette of the Republic of North Macedonia”, no. 18/2022.

56 “Advertisement for the election of one member of the Council of Public Prosecutors of the Republic of North Macedonia elected by the Assembly of the Republic of North Macedonia”, “Official Gazette of the Republic of North Macedonia”, no. 154/2022.

57 Contribution to the October 2021 – September 2022 Chapter 23 Shadow Report by the All for Fair Trials Coalition.

58 Council of Public Prosecutors of the Republic of North Macedonia, “Annual report on the work of the Council of Public Prosecutors of the Republic of North Macedonia for 2021”, January 2022, <https://bit.ly/3DGHDcu>.

59 Ibid

60 Ardita Abazi Imeri et al., “Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017–2022”, European Policy Institute – Skopje, November 10, 2022, <https://bit.ly/3X2nox8>.

According to the implementation of the Law on the Judicial Council in relation to selection of members of the Council, for the first time, following numerous recommendations, the opportunity was given for judges to be able to directly submit a request for institution of a procedure for disciplinary responsibility of a member of the Council they have chosen. However, certain provisions of the Law do not foresee any deadlines, which leaves room for possible corrupt practices, influence on the members of the JCRNM or, in turn, the appearance of conflict of interests, contrary to the legal provisions.

The Judicial Council adopted the 2022-2025 Program and Action Plan for Prevention and Monitoring of Corruption in the Judiciary, which aims to reduce corruption, improve the integrity of judges, transparency, and accountability, thereby ensuring higher public confidence in the judicial system. However, it is necessary to further develop the Program and the Action Plan in order to precisely determine activities that should be undertaken in accordance with established findings, the timeframe in which they are planned to be implemented, as well as to determine the degree of risk. In addition, in revising the Program and the Action Plan, it is necessary to pay attention to the conduct of members of the Judicial Council and their compliance with obligations determined by law. Otherwise, the overall planning and implementation of the Program, which has the exact purpose of fighting corruption, will be undermined.

The weak interest among judges in submitting applications for members of the Judicial Council indicates the need for taking concrete actions by competent institutions to encourage judges to run for membership of the Judicial Council, in order to select the best quality and most professional judges who will further contribute to the work of the Judicial Council.

It can be seen that the Code of Ethics of Public Prosecutors contains certain provisions that are in direct collision with the principles of transparency, especially in terms of denying the possibility of public prosecutors to comment on the decisions of the Council of Public Prosecutors, as well as to make public statements about cases which they act upon. Commenting on the decisions can only lead to the improvement of the quality of decisions made, given that the authority that adopts them will have to explain in detail the reasons why such a decision was made. All of this contributes to increasing transparency and accountability in the work of the Council of Public Prosecutors. Precisely because of this, it is necessary to take specific actions to amend the Code of Ethics in the shortest possible period.

INDEPENDENCE AND IMPARTIALITY

The legal framework, as a guarantee for the independence of the judiciary, is well established and fully implemented,⁶¹ except for the part relating to the financial independence of the judicial budget. However, despite the established legal framework, which, together with the Constitution of the Republic of North Macedonia, guarantees the independence of the judiciary and the principle of separation of powers, citizens' trust in the judiciary is still at an unsatisfactory level, as shown by the latest research under the Balkan Barometer, where compared to the previous year, in North Macedonia there was an increase in mistrust by 3%.⁶² A key role in strengthening citizens' trust in the judiciary is played by the legislative power, the executive power, the media and the JCRNM, by encouraging the transparency of court proceedings, the enforcement of judgments, and thus to maintaining public trust in the independence and impartiality of the judiciary.⁶³ In this respect, the JCRNM should continue with the practice of defending and promoting judicial independence, which was noted in previous Shadow Reports⁶⁴

Improving transparency remains a challenge for both Councils. The JCRNM shows continuity in satisfying basic conditions for public and transparent work at its sessions, which means that announcements about scheduled sessions are published on the official website of the Council in a timely manner, and announcements about decisions adopted at the end of sessions are also regularly published.⁶⁵ The legal obligation to publish the minutes of the sessions is respected and the minutes, which are detailed, are published after their adoption.⁶⁶ However, there is a delay of about one month from the date of the sessions until decisions are published on the website. This may be due to the fact that minutes are slowly endorsed since they often contain typographical errors, so members of the JCRNM request that everything be corrected in order not to misinterpret their statement.⁶⁷ Furthermore, it can be noted that other information related to meetings attended by the President and members of the Council, as well

61 Part of the activities and measures determined in the Justice Sector Reform Strategy 2017–2022, which refer to independence and impartiality, have been implemented with the adoption of the third set of amendments to the Law on Courts and the new Law on the Judicial Council. The Law on Public Prosecution and the Law on Amendments and Supplements to the Law on the Council of Public Prosecutors are aimed at increasing the independence of the judiciary. The third set of amendments to the Law on Courts and the new Law on the Judicial Council contributed in particular to the implementation of the recommendations of the expert group led by Priebe and the recommendations given by the Venice Commission.

62 ACIT Centre and EPIC Institute, "BALKAN BAROMETER – 2022 Public Opinion Analytical report", June 2022, <https://www.rcc.int/balkanbarometer/publications>.

63 Ledi Bianku [Ledi Bianku] and Hannah Smith [Hannah Smith], "Independence and impartiality of the judiciary – an overview of the relevant case law of the European Court of Human Rights", 2021, <<https://www.rolplatform.org/wp-content/uploads/2021/09/independence-and-impartiality-of-judiciary-mkd.pdf>>.

64 Conevska Vangelova and Kamberi, "Shadow Report on Chapter 23 for the period April 2020–September 2021", European Policy Institute – Skopje, December 16, 2021, <https://bit.ly/3Ifn3ir>; Iva Conevska and Ismail Kamberi, "Shadow Report on Chapter 23 for the period April 2019 – March 2020", European Policy Institute – Skopje, May 26, 2020, <https://epi.org.mk/post/14897>.

65 Institute for Human Rights Skopje, "Report from the monitoring of the work of the Judicial Council: January–June 2022", <https://bit.ly/3IIMvYV>.

66 Ibid

67 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair trials", 2022, <https://bit.ly/3H93UCm>.

as annual reports on the work of the Council, are published.⁶⁸ In addition, there is an enhanced activity of the JCRNM with the aim of increasing the transparency of courts with a view to consistent implementation of the provisions of the Law on Free Access to Information of Public Character⁶⁹ and the exercise of citizens' right to free access to information. In this respect, the JCRNM and the Agency for the Protection of the Right to Free Access to Information of Public Character (APRFAIPC) signed a memorandum of cooperation in May 2022.⁷⁰ In the next period, this Agency will monitor websites of courts regarding compliance with Article 10 of the Law on Access to Information of Public Character, and then prepare an analysis.⁷¹

What remains as a challenge are the premises and technical capacities available to the JCRNM and courts in general, which do not always allow the presence of interested members of the public and the media. There is also a need for greater use of audio-visual and audio recordings at hearings and trials, which, although a legal obligation, was not applied consistently and regularly in practice. In addition, the President of the JCRNM does not raise initiatives for convening press conferences and meetings with the media when there are important issues that are within the competence of the Council and which are of interest to the public.⁷² The inappropriate practice of convening a staff meetings behind closed doors of the members of the JCRNM immediately before the beginning of sessions continues,⁷³ especially on key issues, to which several members of the Council react.⁷⁴ At the same time, it has been noticed that, sometimes, during a session, when there is an argument among members on a certain issue, a break of 10 or 15 minutes is given, during which time the public leaves the room where the session is held, and the members continue to debate behind closed doors. which leaves the impression that the Council hides its views and opinions from the public.⁷⁵ Therefore, it is necessary for members of the JCRNM to debate at sessions, to express their opinion on each proposal, because in this way the public's opinion about the work of the JCRNM is improved and the degree of control increases.⁷⁶

68 Ibid

69 "Law on Free Access to Information of Public Character", Official Gazette of the Republic of North Macedonia", no. 101/2019.rx

70 "Signed memorandum on increasing the transparency of courts", Akademik , May 18, 2022, <https://akademik.mk/potpishan-memorandum-za-zgolemu-vane-na-transparentnosta-na-sudovite/>.

71 Ibid

72 Statements or interviews of the president can be recorded, only for individual current events, such as the presentation of the work report of the CPPRNM for 2021. See more in Institute for Human Rights Skopje, "Report from the monitoring of the work of the Judicial Council: January-June 2022".

73 The option to hold working meetings (colleges) was made possible by the 2015 Rules of Procedure of the Judicial Council, where it was stipulated in Article 15 that the President of the Council can convene and hold collegiums whenever he deems it necessary. . In the Rules of Procedure that are currently in force, that provision is mirrored in Article 19. Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022".

74 Institute for Human Rights Skopje, "Report from the monitoring of the work of the Judicial Council: January-June 2022", <https://bit.ly/3liMvYY>.

75 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93UCm>.

76 Ibid

A positive trend in improving the transparency of the judiciary and increasing the trust among citizens is the establishment of the Council for Open Judiciary,⁷⁷ which should also serve as a mechanism for improving the status of the judiciary through full respect for the principle of independence in all forms - institutional, functional and financial.⁷⁸ The Council for Open Judiciary includes one representative of all judicial instances and representatives of the JCRNM, the Academy for Judges and Public Prosecutors, as well as representatives of six citizens' associations.⁷⁹

In terms of transparency of the work of CPPRNM, it can be stated that sessions are open to the public and they can be attended at all points, except for those sessions where the public is excluded according to the law.⁸⁰ At the sessions, members continually debate and express their views on certain issues, even when they are opposed to the remaining members of the Council.⁸¹ This contributes to developing a constructive debate based on which the public can get a real insight into the situation at public prosecutor's offices. Regarding publication on its website, CPPRNM publishes session dates, but several times the meeting date is published immediately or very shortly before the session, which makes public attendance significantly more difficult.⁸² In addition, the CPPRNM continues with the practice of irregular publication of minutes of held sessions.⁸³ The same remarks refer to the publication of reasoned decisions for the selection, promotion and dismissal of public prosecutors, as well as other decisions made by the Council, which is completely contrary to the Rules of Procedure of the CPPRNM.⁸⁴ There is also a lack of proactive transparency at the public relations department and in publication of information related to the daily activities of the CPPRNM, despite the appointment of a public relations officer.⁸⁵ It is important to publish such information in order to bring the work of CPPRNM closer to the public and to further increase public awareness and promote of CPPRNM's competences.⁸⁶ Therefore, it is

77 Akademik.mk, "The Open Judiciary Council was established, and the Open Judiciary Declaration was signed", March 31, 2022, <https://akademik.mk/osnovan-socket-za-otvoreno-sudstvo-i-potpishana-deklaratsijata-za-otvoreno-sudstvo/>.

78 "The Council for Open Judiciary adopted the Rules of Procedure and elected co-presidents", official website of the Supreme Court of the Republic of North Macedonia, July 13, 2022, <https://bit.ly/3gY1hIV>.

79 The Association of Judges, the Association of Court Administration, the Centre for Legal Research and Analysis, the Institute for Human Rights, the Macedonian Association of Young Lawyers and the Coalition "All for Fair Trials".

80 CPPRNM can exclude the public only by decision, in order to protect the reputation and integrity of the public prosecutor. According to Article 14 of the Rules of Procedure of CPPRNM, the Council can decide to exclude the public from the sessions with a two-thirds majority of the total number of members. If the Council makes such a decision, it is obliged to inform the public about the reasons for excluding the public.

81 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93UCm>.

82 "Discussion on the Shadow Report on Chapter 23 for the period October 2021 - September 2022", official website of the European Policy Institute - Skopje, November 25, 2022, <https://epi.org.mk/post/22609>.

83 Also, only the most recent minutes can be accessed, as old minutes and announcements dated before May 2022 are not available on the website.

84 Article 16 paragraph 7 of the Rules for the work of CPPRNM states that the Council's decisions must be explained and they are published on the Council's website. "Laws and by-laws", official website of the Council of Public Prosecutors of the Republic of North Macedonia, <https://bit.ly/3v8rfgH>.

85 The data where the public relations person can be contacted is not publicly published on the CPPRNM website. Institute for Human Rights Skopje, "Three-month monitoring report of the sessions of the Council of Public Prosecutors of the Republic of North Macedonia: period May-July 2022", <https://bit.ly/3zt5o6c>.

86 Ibid

necessary to adopt a new communication strategy for the upcoming period of 2022 to 2025, in which the needs and shortcomings in the implementation of the previous strategy will be analysed in detail, with the aim of smooth functioning and better and proactive approach in communication with the public and citizens overall.⁸⁷

As stated in previous Shadow Reports, an important aspect of the independence of the justice system is of course financial independence. Namely, financial independence and the increase of salaries in the judiciary have been the subject of discussion for several years. However, there is consistency in the policies of the legislative and executive authorities in not implementing the legal guarantees for financial independence of the judicial system by not providing the mandatory 0.8% of the GDP under any central budget since the Law on the Judicial Budget was passed in 2010.⁸⁸ The court budget even recorded a decrease compared to last year, where for 2021 it was 0.39% of the GDP, while for 2022 it was 0.3% of the GDP, which is 60% less than the legally established limit.⁸⁹ Therefore, the court budget is inadequate to cover all the needs of the judiciary and also does not allow for greater financial investments for better functionality, which is why the courts function with minimum working conditions. It is necessary to increase funds allocated to the Public Prosecutor's Office, as a key authority for the suppression of crime and corruption. The approved amount of funds for the Public Prosecutor's Office for 2021 is 0.18% of the Budget of the Republic of North Macedonia,⁹⁰ against the legally established 0.4% of the Budget of the Republic of North Macedonia,⁹¹ which is below 50% of the legally established limit.⁹²

On the other hand, after the agreement reached between the Government and the Association of Judges to increase the salaries of judges by 15% until 2022⁹³ and the signing of the rules for increasing salaries from 8 to 18%,⁹⁴ the Association of Judges adopted the 2022-2024 Strategy for improving the material status of judges.⁹⁵ The Strategy was prepared as a result of the untimely implementation of agreed activities with the Government, with the aim of setting new requirements with specific deadlines for implementation.⁹⁶ In this regard, the Government established a package of four laws for higher

87 Ibid

88 Centre for Legal Research and Analysis, "Plan for improving the work and conditions in basic courts", 2021, <https://bit.ly/3h0kZUN>.

89 State Audit Office, "Final report on the compliance audit of the basic budget of the Republic of North Macedonia for 2021", 2022, https://dzr.mk/sites/default/files/2022-09/01_Osnoven_budzet_RNM_KOMPLET_2021_0.pdf.

90 Ibid

91 Law on Public Prosecution, "Official Gazette of the Republic of North Macedonia", no. 42/2020.

92 State Audit Office, "Final report on the compliance audit of the basic budget of the Republic of North Macedonia for 2021", 2022, https://dzr.mk/sites/default/files/2022-09/01_Osnoven_budzet_RNM_KOMPLET_2021_0.pdf.

93 Akademik.mk, "Judges' salaries are increasing" (n 103).

94 Pravdiko, "Maricic signed a regulation for increasing the salaries of the judicial police", March 5, 2021, <<https://www.pravdiko.mk/marichik-potpisha-pravilnik-za-zgolemuwane-na-platite-na-sudskata-politsija/>>.

95 "XI session of the Management Board of the Association of Judges of the Republic of North Macedonia", official website of the Association of Judges of the Republic of North Macedonia, February 10, 2022, <https://bit.ly/3zQ3NaV>.

96 "Strategy for improving the material status of judges 2022-2024", official website of the Association of Judges of the Republic of North Macedonia, February 18, 2022, <https://bit.ly/3Ubl1CT>.

salaries in the justice and prosecution system.⁹⁷ More specifically, laws on amendments and additions to the Law on Salaries of Public Prosecutors, the Law on Judicial Services, the Law on the Public Prosecutor's Services and the Law on salaries of members of the Council of Public Prosecutors were established.⁹⁸

First, with proposed amendments to the Law on Salaries of Public Prosecutors, the coefficient for determining the salary of public prosecutors and the total commitment to improving the material and financial resources in the justice system, including salaries and other compensations of public prosecutors, are adjusted. Secondly, with the amendments to the Law on Judicial Services and the Law on Amendments to the Law on Public Prosecutor's Services, equality is achieved for employees in the private and public sectors by establishing the same amount of the legal minimum salary and gradually harmonizing other salaries of judicial clerks and of the public prosecutor's clerks at all levels, as well as ensuring the continuity of salary changes in the judicial administration and in the public prosecutor's administration with respect to the minimum salary at the national level. Thirdly, with the proposed legal text amending the Law on Salaries of Members of the Council of Public Prosecutors of the Republic of North Macedonia, the coefficients for determining the salary of members of the Council are changed in order to upgrade the salary system of members of the Council of Public Prosecutors, corresponding to the significance and the prestige of the office they perform, the difficulty of their work and their responsibilities.

The proposed package of legal amendments, mentioned above, was submitted to the Parliament for adoption.⁹⁹ On 27 July 2022, the Parliament approved the proposed laws to amend the Law on Judicial Services and the Law on Public Prosecutor's Services under summary legislative procedure,¹⁰⁰ which were then reviewed the next day at a session of the Parliamentary Legislative-Legal Committee,¹⁰¹ and it is expected that these Laws will be put to a vote at a plenary Parliamentary session.¹⁰² The deadlines foreseen in the Strategy and the Action Plan for the adoption of these legal amendments have long been exceeded.

97 "The government adopted the package of legal amendments for higher salaries in the justice and prosecution system", official website of the Government of the Republic of North Macedonia, May 25, 2022, <https://vlada.mk/node/28948>.

98 Ibid

99 Ibid

100 "After an abbreviated procedure, the laws to increase salaries in the judiciary, prosecutor's offices and the prison police will be adopted", A1 On, July 27, 2022, <https://a1on.mk/macedonia/po-skratena-postapka-kje-se-donesat-zakonite-za-zgolemuvanje-na-platite-vo-sudstvoto-obvinitelstvata-i-na-zatvorskata-policija/>.

101 "Details of the 140th session of the Legislative and Legal Commission", official website of the Assembly of the Republic of North Macedonia, July 28, 2022, <https://www.sobranie.mk/detali-na-komisiska-sednica.nspx?sittingId=c871b7d3-efa9-47c8-a0b3-9c8590859141>.

102 The determined legal amendments were adopted at the 82nd session of the Assembly of the Republic of North Macedonia, following a shortened procedure, which was held on November 3, 2022. "Laws on judicial, public prosecutor's service and enforcement of sanctions passed", Nezavisen, November 3 2022, <https://nezavisen.mk/doneseni-zakonite-za-sudska-javnoobvinitelska-sluzhba-i-za-izvrshuvanje-sankcii/>.

In order to improve the professionalism and competence of judges, and for the purpose of proper performance of judicial duties, it is necessary for judges to address the Advisory Body for Judicial Ethics more often.¹⁰³ Since its establishment within the Association of Judges,¹⁰⁴ until September 2022, the Advisory Body has received only four requests for advisory opinions.¹⁰⁵ In order to improve its visibility for judges and lay judges, but also for the general public, in July 2022 the Advisory Body for Judicial Ethics promoted the website www.sudiskaetika.mk, which is also accompanied by profiles on social networks.¹⁰⁶

ACCMIS and Digitization of the Judiciary

The process of digitalization in the judiciary has been implemented in the past 12 months through the Council for coordinating information and communication technology at justice system bodies (ICT Council) at the Ministry of Justice. In the reporting period, in accordance with the Operational Plan for digitization of the justice system, the ICT Council completed the consultation process and worked on the operationalization of activities for interconnection and data exchange between judicial institutions and state authorities and institutions through the National Interoperability Platform.¹⁰⁷ More specifically, the Ministry of Justice signed interoperability agreements with nine state bodies and institutions, which on a daily basis perform 50% of the data exchange with the courts - the Ministry of the Interior, the Public Prosecutor's Office of the Republic of North Macedonia, the Central Registry, the Customs Administration, the State Election Commission, the Financial Police, the Financial Intelligence Authority, the State Commission for the Prevention of Corruption and the Civil Aviation Agency.¹⁰⁸ Additionally, in cooperation with the OSCE Mission in Skopje, the equipment for online trials was also installed in the other pilot basic courts in Strumica, Shtip, the Skopje Criminal Court and the Skopje Civil Court.¹⁰⁹

103 "Advisory body for judicial ethics conducted only two procedures for judges", 24 Vesti, February 22 2022, <https://24.mk/details/sovetodavnoto-telo-za-sudska-etika-sprovelo-samo-dve-postapki-za-sudii>.

104 For the consistent application of the principles of the Code of Judicial Ethics, the Association of Judges of the Republic of North Macedonia established an advisory body, which, at the request of the judges or the Association of Judges, expresses advisory opinions to the judges in North Macedonia in relation to one or more issues related to ethical behaviour, that is, the appropriate performance of judicial duties and avoiding the conflict of interests of judges in their private lives and the exercise of their judicial function.

105 "Questions and answers", official website of the Advisory Body for Judicial Ethics, <https://sudiskaetika.mk/#sudija>.

106 Conference "Functionalization and operationalization of the Advisory Body for Judicial Ethics in North Macedonia", official website of the Association of Judges of the Republic of North Macedonia, July 14, 2022, <https://bit.ly/3UB6LrG>.

107 Peter Reichstedter et al., "Macedonian Interoperability Framework (MRI) for Macedonian Public Services", 2016, https://mioa.gov.mk/sites/default/files/pbl_files/documents/Macedonian_Interoperability_Framework%20MIF_v2.0_mk.pdf.

108 "Tupanceski: Commitment to a modern and efficient judiciary is slowly but surely yielding results", official website of the Ministry of Justice, March 10, 2022, <https://www.pravda.gov.mk/vest/6320>.

109 "Tupanceski: From today, online trials become a reality for the Macedonian judiciary", official website of the Ministry of Justice, March 2, 2022, <https://www.pravda.gov.mk/vest/6316>.

In order to ensure the smooth running of the digitalization process, as well as the functioning of the ACCMIS system with all upgrades, the Supreme Court concluded a contract for the purchase of new servers for courts in North Macedonia, which will replace the existing servers that were purchased in the period between 2006 and 2010.¹¹⁰ In addition, the Judicial Budget Council, at the request of the JCRNM, adopted a decision to make an additional allocation of the necessary funds for the continuation of the public procurement of IT equipment for courts and the JCRNM.¹¹¹

With the application of the Law on Electronic Documents, electronic identification and confidential services,¹¹² as well as with linking courts to the National Service Portal, a digital service was provided for natural and legal persons for issuing certificates from the criminal records that is available on the national portal uslugi.gov.mk.¹¹³ In the next period, it is expected to introduce the announced digital service for issuing extracts from the criminal records, as well as issuing a certificate that no sanction, ban on performing a profession, activity or duty has been imposed.¹¹⁴ Pursuant to Article 12 of the Law on the Court Case Movement Management,¹¹⁵ the process of developing a software solution for publishing decisions and announcements on courts' websites in accordance with the proposed decision on the amount of compensation has also begun.¹¹⁶ Activities under the digitization process and issuance of electronic court orders for the implementation of special investigative measures, monitoring and recording of telephone and other electronic communications, in cooperation with the Operational-Technical Agency in six first instance courts and seven basic public prosecutor's offices, are continuously pursued.¹¹⁷ However, the process of digitalization of the justice system is conducted in a partially transparent and inclusive manner. Greater transparency is needed in the reporting on the process and the steps taken, as well as the inclusion in the process of civil society organizations that are directly involved in the justice reform, which at this stage are not involved.¹¹⁸

110 "The Supreme Court concluded an agreement with 'Neokom' worth 705.1 thousand euros", *eMagazin*, May 20, 2022, <https://emagazin.mk/vrhoven-sud-skluchidogovor-so-neokom-vreden-705-1-il-adi-evra/>.

111 "Announcement from the 182nd session of the Judicial Budget Council - 16.06.2022", official website of the Judicial Council of the Republic of North Macedonia, <https://bit.ly/3Dm14XB>.

112 "Law on electronic documents, electronic identification and confidential services", *Official Gazette of the Republic of North Macedonia*, no. 101/2019; 275/2019.

113 "Issuance of a criminal record certificate for natural persons through the National e-services portal", *Akademik*, November 15, 2021, <https://akademik.mk/izdavane-potvrda-od-kaznena-evidentsija-za-fizicki-litsa-preku-natsionalniot-portal-za-e-uslugi/>.

114 "Citizens will be able to use digital services of the courts for issuing certificates", *Akademik*, October 7, 2021, <https://akademik.mk/graganite-ke-mozhat-da-koristat-digitalni-uslugi-na-sudovite-za-izdavane-na-uverenija/>.

115 "Law on managing the movement of cases", *Official Gazette of the Republic of North Macedonia*, no. 42/2020.

116 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2nox8>.

117 *Ibid*

118 *Ibid*

According to the reports¹¹⁹ and the plan for supervision of the functionality of the ACCMIS,¹²⁰ there are regular supervisory inspections of the functioning of the ACCMIS. Namely, according to data published by the Ministry of Justice, seven courts were supervised in 2021,¹²¹ and five courts were supervised until September 2022.¹²² In addition, in the annual report on the implementation of the Strategy of the Ministry of Justice for 2021, it is noted that regular supervisions produce results, i.e., that progress has been noted in the organization of courts in relation to the ACCMIS system.¹²³ The recorded weaknesses are mostly due to the obsolescence of the system that needs major interventions.¹²⁴ Due to the low capacity of the server, there is no possibility to search for cases, i.e., a database on the movement of cases and they are saved through local methods.¹²⁵ In this context, it is necessary to analyse the current application of the ACCMIS system and determine whether a new software system should be introduced or the existing one should be upgraded. In this regard, the ACCMIS system should also be harmonized with the new legal framework for the work of the body for managing the movement of cases and the rules for monitoring and evaluating the work of judges.

119 "Minutes from inspections in courts", official website of the Ministry of Justice, <https://www.pravda.gov.mk/resursi/22>.

120 Supervision Plan 08-1001/1 dated 02/12/2020 and Supervision Plan 08-33/4 dated 01/31/2022.

121 Ministry of Justice, "Annual Report on the Implementation of the Justice Sector Reform Strategy 2017-2022 for 2021," 2022, <https://bit.ly/3h0YezG>.

122 "Minutes of inspection in courts".

123 Ibid

124 "Discussion on the Shadow Report on Chapter 23 for the period October 2021 - September 2022", official website of the European Policy Institute - Skopje, November 25, 2022, <https://epi.org.mk/post/22609>.

125 Ibid

In addition to the established legal framework, which together with the Constitution of the Republic of North Macedonia guarantee, above all, the independence of the judiciary and the principle of separation of powers, citizens' trust in the judiciary is not at the highest level, as shown by the latest research by the Balkan Barometer, where Northern Macedonia, compared to the previous year, recorded an increase in mistrust by 3%. Confidence in the Public Prosecutor's Office is not high either. A key role in strengthening citizens' trust in the judiciary is played by the legislative power, the executive power, the media, and the Judicial Council, by encouraging transparency of court proceedings, the enforcement of judgments, thus maintaining public trust in the independence and impartiality of the judiciary.

The Judicial Council meets the basic conditions for public and transparent work at its sessions, and yet the practice of making decisions on the selection and dismissal of judges without arguments and behind closed doors continues.

The publication of reasoned decisions on the selection, promotion, and dismissal of public prosecutors, as well as other decisions made by the Council of Public Prosecutors, is of exceptional importance for restoring the confidence of citizens in the Public Prosecutor's Office. Proactive transparency is also needed at the public relations unit and publication of information related to the daily activities of the Council of Public Prosecutors in order to bring the Council's work closer to the public and promote the Council's competences.

It is necessary to increase the budget of the judiciary and of the public prosecution service. The measures in the Strategy, which foresee an increase in the court budget, have not yet been fulfilled. The Law on the Judicial Budget in relation to allocation to the judiciary from the GDP has not been implemented for years. Judges agree that the judiciary should have its own budget and its own treasury system with a body that will decide on employment and needs in the judiciary. This would help achieve greater independence of the judiciary, and procurement and current employment would be carried out without executive approval.

It is necessary to increase the salaries of judges and prosecutors, all in order to receive consistent salaries that correspond to their function and performance of their mandate.

The process of digitization of the judiciary, as one of the most significant reform processes related to the judiciary, is conducted in a partially transparent and inclusive manner. Greater transparency is needed in the reporting on the process and the steps taken, as well as the inclusion in the process of civil society organizations that are directly involved in the justice reform, which currently are not involved.

It is necessary to analyse the current application of the ACCMIS system and determine whether a new software system should be introduced or the existing one should be upgraded. In this context, the ACCMIS system should also be harmonized with the new legal framework for the work of the body for managing the movement of cases and the rules for monitoring and evaluating the work of judges. It is also necessary to design and establish a software solution for automated case management at the Public Prosecutor's Office that will improve efficiency in handling criminal charges, monitoring the investigation and prosecution process, and will enable data access and processing.

ACCOUNTABILITY

As noted in the previous Shadow Report,¹²⁶ the amendments to the Law on Courts,¹²⁷ of 2019 in relation to the grounds for responsibility of judges serve the purpose of strengthening the independence of judges and the judiciary. The amendments are aimed at fulfilling the recommendations given in the 2018 GRECO Report,¹²⁸ as well as the measures determined in the 2017-2022 Justice Sector Reform Strategy.¹²⁹ In addition, these amendments have been approved by the Venice Commission.¹³⁰ With such amendments, the grounds for dismissal are graded,¹³¹ taking into account the gravity of the committed violation and the fault of the judge. The analysis of legal provisions leads to the conclusion that the concept of severely punishing judges by dismissal due to their untimely, inefficient, and unprofessional work has been abandoned. The Law on the Judicial Council of 2019 implements the recommendations given by the Venice Commission in the area of accountability.¹³² It defines the procedure for determining the responsibility of Presidents and judges, as well as the grounds for disciplinary procedure against a member of the Council and for the procedure itself.¹³³ With the Law on the Judicial Council, for the first time, the opportunity was given for judges to be able to directly submit a request to institute procedure for disciplinary responsibility of a member of the JCRNM whom they elected,¹³⁴ but thus far no request has been submitted to institute a procedure for disciplinary responsibility of a member of the JCRNM.¹³⁵ According to the new legal amendments, in the reporting period three decisions were adopted to dismiss judges and Presidents of courts.¹³⁶ Out of adopted decisions on dismissal, two decisions refer to acting Presidents of courts, and one decision refers to a judge.¹³⁷ The grounds for dismissal in two of the decisions are unprofessional and negligent performance of the function - overstepping and violation

126 Conevska Vangelova and Kamberi, "Shadow Report on Chapter 23 for the period April 2020-September 2021", European Policy Institute - Skopje, December 16, 2021, <https://bit.ly/3fN3ir>.

127 "Law on Amendments and Supplements to the Law on Courts", "Official Gazette of the Republic of North Macedonia", no. 96/2019.

128 Adopted by GRECO at its 80th Plenary Session, "Fourth Evaluation Round - Prevention of Corruption in relation to Members of Parliament, Judges and Prosecutors, Second Compliance Report, Republic of Macedonia", 2018, <<https://rm.coe.int/-80-18-22-/16808cc861>>.

129 Ministry of Justice, "Strategy for reform of the justice sector for the period 2017-2022 with an action plan", https://www.pravda.gov.mk/Upload/Documents/Strategija%20i%20akciski%20plan_MK-web.pdf.

130 Barrett and others (n 76).

131 "Law on Amendments and Supplements to the Law on Courts", "Official Gazette of the Republic of North Macedonia", no. 96/2019.

132 "Law on the Judicial Council of the Republic of North Macedonia", "Official Gazette of the Republic of North Macedonia", no. 102/2019.

133 Ibid

134 Such a request can be submitted by at least 20 judges or each member of the JCRNM with the right to vote, if the member of the JCRNM: influences the independence of judges and exerts pressure in connection with the decision-making on certain cases; neglects and does not perform his function in the work of the JCRNM; if he refuses to submit a statement of property status and interests in accordance with the law or if the data contained in the statement is largely untrue or violates the rules for exemption in situations in which the member of the JCRNM knew or should have known about the existence of any of the grounds for exemption provided for with this law. A member of the JCRNM shall be dismissed from office if the violation was committed with intent or obvious negligence due to the fault of the member of the JCRNM without justifiable reasons and/or the violation caused serious consequences.

135 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2nox8>.

136 Judicial Council of the Republic of North Macedonia, "Response to a request for free access to public information", November 28, 2022.

137 Ibid

of legal powers, while in the third decision, the grounds for dismissal are more serious disciplinary violation.¹³⁸ In addition, in the reporting period, the JCRNM established disciplinary responsibility for three judges, that is, one disciplinary measure - a fine for a President of a court, one disciplinary measure - a fine for a judge and a disciplinary measure - a written warning to a judge.¹³⁹ In this respect, the Council deciding on appeals at the Supreme Court of the Republic of North Macedonia confirmed two decisions of the JCRNM under the three appeals received from judges for whom a procedure for establishing responsibility was instituted, and one decision was returned for reconsideration.¹⁴⁰ In addition, in the first nine months of 2022, the JCRNM did not institute a procedure to determine the disciplinary responsibility of a judge and/or court president.¹⁴¹

In the reporting period, the JCRNM acted upon 570 applications from citizens and legal entities about the work of courts, court presidents and judges.¹⁴² The conducted analysis of allegations forming the basis for submitting the applications, point to the conclusion that most of the submitted applications discussed by the JCRNM relate to the manner of conducting proceedings by the judges, the time period of conducting the proceedings, unprofessional and negligent actions.¹⁴³ However, out of the total number of applications considered at the sessions of the JCRNM, only 2.5% of them were accepted as having grounds by the JCRNM.¹⁴⁴ The largest number of applications are dismissed or rejected as unfounded.¹⁴⁵ According to the JCRNM, the reason for this situation is the fact that citizens point out complaints and refer to the actual situation, instead to the work of judges.¹⁴⁶ Namely, citizens consider that the Judicial Council represents some form of court of a higher instance and instead of pointing out allegations about the work of judges, dissatisfied with decisions of judges, they again point out appeal allegations that were previously pointed out in the procedure.¹⁴⁷ Hence, it is obvious that over the years the same problem always prevails, i.e., citizens do not understand the concept and the role of applications, so in this context it is necessary to enhance efforts to educate citizens, so that they can use this mechanism in the right way. Otherwise, the impression remains that submitting an appeal to the Judicial Council is useless, given that all applications are rejected, which on its part undermines

138 Ibid

139 Judicial Council of the Republic of North Macedonia, "Response to a request for free access to public information", November 16, 2022.

140 Supreme Court of the Republic of North Macedonia, "Response to a request for free access to public information", November 7, 2022.

141 Ibid

142 Judicial Council of the Republic of North Macedonia, "Response to a request for free access to public information", November 28, 2022.

143 Ibid

144 Judicial Council of the Republic of North Macedonia, "Response to a request for free access to public information", December 21, 2022.

145 Ibid

146 "Discussion on the Shadow Report on Chapter 23 for the period October 2021 - September 2022", official website of the European Policy Institute - Skopje, November 25, 2022, <https://epi.org.mk/post/22609>.

147 Ibid

the trust in the judiciary.¹⁴⁸ In relation to the way the JCRNM acts upon applications, there is the practice of reporting about the application by a member of the Council with a few sentences, without going into the essential part and the reasons why the application is considered founded or unfounded, and then the decision on the application is adopted unanimously by members of the JCRNM, according to the proposal by the judge reporting on the application.¹⁴⁹

The Law on Public Prosecutor's Office of 2020 brought positive changes with respect to the grounds for termination, dismissal, and disciplinary responsibility of public prosecutors.¹⁵⁰ As with the amendments to the Law on Courts, this Law defines the grounds for dismissal more precisely, such as a lighter form of violation all the way to the grounds for a more serious disciplinary violation, in order that the public prosecutor be ordered a disciplinary measure, instead of being dismissed.¹⁵¹ As regards the grounds for dismissal of public prosecutors, the gravity of the committed violation and the guilt of the public prosecutor are also taken into account.¹⁵² The Law also determines the method of instituting a procedure to determine the responsibility of public prosecutors for a committed disciplinary violation,¹⁵³ as well as the necessary majority with which the CPPRNM may dismiss the prosecutors.¹⁵⁴ With regard to the procedure, the rules for implementation of the procedure for establishing the responsibility of the public prosecutor, on the proposal of the public prosecutor of the Republic of North Macedonia are adopted by the CPPRNM.¹⁵⁵

Under the legal amendments, the upward trend in submitted applications to the CPPRNM continues in the reporting period.¹⁵⁶ Hence, in 2021 there were 231 complaints, which compared to 2020, represents an increase in the volume of work of 8.65%.¹⁵⁷ Most of the applications were submitted by injured persons to express dissatisfaction with the duration of the procedure and lack of promptness in taking actions by the

148 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93UCm>.

149 Ibid

150 "The Law on Public Prosecution", "Official Gazette of the Republic of North Macedonia", no. 42/2020.

151 Ibid

152 A public prosecutor can be dismissed due to a more severe disciplinary procedure and membership in a political party.

153 Unlike the Law on Judicial Council, where a request to initiate a procedure to determine the responsibility of a judge or court president can be submitted by anyone, the Law on Public Prosecution provides that the procedure for determining the responsibility of public prosecutors for a committed disciplinary violation is carried out according to reasoned proposal of the public prosecutor of the RNM for all public prosecutors and after a reasoned proposal of the senior public prosecutor of the Higher Public Prosecutor's Office for the public prosecutors in the Higher Public Prosecutor's Office, for the basic public prosecutor of the Basic Public Prosecutor's Office and for public prosecutors in the Basic Public Prosecutor's Office, by official duty or upon receiving knowledge of a committed violation. To the proposal for initiation of disciplinary proceedings, the petitioner is obliged to submit evidence of the committed disciplinary violation.

154 Unlike the Law on the Judicial Council, where the procedure is conducted in the JCRNM, in the public prosecutor's office the procedure for determining the responsibility of the public prosecutor in the performance of the public prosecutor's office is carried out by a committee of five members or their deputies, one of whom is from the senior public prosecutor's office and one a member of JORNMM, elected by the collegiums of those prosecutor's offices.

155 "The Law on Public Prosecution", "Official Gazette of the Republic of North Macedonia", no. 42/2020.

156 Council of Public Prosecutors of the Republic of North Macedonia, "Annual report on the work of the Council of Public Prosecutors of the Republic of North Macedonia for 2021".

157 Ibid

public prosecutor, who acted in a specific case, as well as the public prosecutor's decisions to reject the case.¹⁵⁸ In contrast to 2020, the number of applications in which injured persons express dissatisfaction due to not receiving notification on the course of the procedure before the public prosecutor's office for a longer period is lower.¹⁵⁹ As regards the handling of applications during sessions, it can be stated that the CPPRNM rarely presents, explains or leads any discussion regarding an application during the sessions.¹⁶⁰ Furthermore, the annual reports of the Council state only the number of submitted applications annually, but it is not stated how many of those applications were accepted as founded, and how many were rejected. It would be desirable, in the future, to include those figures in the reports in order to be able to analyze whether applications are processed in general and what the outcome is, and if they are rejected, then to see the reason for their rejection. In addition, in the 2021 Annual Report of the CPPRNM, it is established that a large part of the reports is submitted rather late by higher public prosecutor's offices regarding the supervision of the work of designated public prosecutors at lower ranking public prosecutor's offices to which the applications refer, so that allegations made could be examined.¹⁶¹ The delay in the reports especially applies to the Public Prosecutor's Office of the Republic of North Macedonia (PPORNM), which until 31 December 2021 had not submitted a report on 50 complaints.¹⁶²

In addition to the number of submitted applications, in the reporting period, the CPPRNM conducted four disciplinary proceedings, in one of which one public prosecutor was dismissed.¹⁶³ Based on published minutes, the procedure for establishing the responsibility was instituted at the request of the Chief Public Prosecutor of the Republic of North Macedonia for three serious disciplinary violations.¹⁶⁴ Acting on the proposal of the Commission for establishing the disciplinary responsibility of a public prosecutor in the performance of the public prosecutor's office, a unanimous decision was adopted by all members of the CPPRNM to impose the measure of dismissal from the office of public prosecutor.¹⁶⁵

158 Ibid

159 Ibid

160 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022.

161 Ibid

162 Ibid

163 Council of Public Prosecutors of the Republic of North Macedonia, "Response to a request for free access to public information", November 9, 2022.

164 Namely, the public prosecutor went to the scene of the incident after being notified of a committed crime, but did not conduct an inspection or prepare a report, entered into a conflict with the police officers, and then had inappropriate communication with the then Prime Minister of the Government. Also, in 2018, the public prosecutor rejected a criminal charges on three occasions, despite the instructions of the Higher Public Prosecutor's Office of Gostivar to continue the criminal proceedings, because the criminal case did not expire, after which the prosecutor submitted a criminal order, after which a verdict was passed. After an objection was filed, a main hearing was scheduled, at which, after presenting evidence, the public prosecutor, without any change to the factual situation, withdrew from criminal prosecution due to relative statute of limitations, which erroneously applied the provisions of the Criminal Code to the detriment of the injured party, and to the benefit of the accused. . Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022.

165 "The Council of Public Prosecutors dismissed the prosecutors Leyla Kadriu and Mile Arsenievski, who himself requested the termination of office", TV Thelma, March 29, 2022, <https://bit.ly/3YU5hK>.

The remaining disciplinary procedures are the result of procedures instituted by the Chief Public Prosecutor's Office following criminal charges filed by the Financial Police Office¹⁶⁶ against the search that investigators of the BPPOOCC carried out on 18 August 2022 at the premises of the Financial Police Office.¹⁶⁷ Namely, after the conducted supervision and inspection of the case, it was established that by acting upon the anonymous criminal charge, which the BPPOOCC received in May 2022, the horizontal competence and organizational set-up of the Public Prosecutor's Office was violated.¹⁶⁸ Thus, considering the received criminal charges refer to persons from the Financial Police Office, who, in accordance with Article 33 paragraph 2 of the Law on the Public Prosecutor's Office, have police powers, the body having mandate to act upon such charges is the Specialized Department for the Prosecution of Crimes Committed by Persons with Police Powers and Members of the Prison Police.¹⁶⁹ Accordingly, the three female public prosecutors from the BPPOOCC who acted in this case, and are not part of the Specialized Department, acted without mandate to undertake activities regarding the filed anonymous criminal charges.¹⁷⁰ In addition, following the supervision, the Public Prosecutor's Office of the Republic of North Macedonia found that the request for issuing a search warrant, submitted to the First Instance Criminal Court Skopje, was lacking any grounds.¹⁷¹ Following this, disciplinary proceedings were instituted against the three public prosecutors, which resulted in the suspension of the head of BPPOOCC, as she was one of the three Public Prosecutors.¹⁷²

In the reporting period, according to an investigation published by the Balkan Investigative Reporting Network (BIRN) - Macedonia, the Skopje Appellate and the JCRNM were found to have acted improperly in relation to Article 53 of the Law on the Judicial Council.¹⁷³ Namely, according to the investigation published by BIRN, nine lay judges at the Skopje Appellate Court continued to judge after the expiration of their term of office in April 2021.¹⁷⁴ Hence, after an inspection, it was established that in the database of the Skopje Appellate Court there are cases from the concerned lay judges for November and December 2021.¹⁷⁵ With respect to the concerned lay judges, the JCRNM established the termination of their term of office mandate as late as 29 March

166 "The financial police submitted a complaint to the Public Prosecutor's Office for the search of its premises", 360 degrees, July 25, 2022, <https://360stepeni.mk/finansiskata-politsija-podnese-pretstavka-do-jo-za-izvrsheni-pretres-vo-nejzinite-prostorii/>.

167 "Search in the Financial Police, Ruskovska does not reveal details", Radio Slobodna Evropa, July 18, 2022, <https://www.slobodnaevropa.mk/a/31948748.html>.

168 "Communication", official website of the Public Prosecutor's Office of the Republic of North Macedonia, August 1, 2022, <https://jorm.gov.mk/soopshenie-108/>.

169 Ibid

170 Ibid

171 Ibid

172 "Vilma Ruskovska suspended, disciplinary for two more prosecutors", August 16, 2022, <https://netpress.com.mk/vilma-ruskovska-suspendirana-disciplinska-za-ushte-dve-obvinitelki/>.

173 Law on the Judicial Council of the Republic of North Macedonia.

174 Vasko Magleshev, "Justice has been handed out for a year with an expired mandate - Dozens of verdicts at the Skopje appeal are called into question, BIRN learns", Prizma, April 5, 2022, <https://prizma.mk/so-istechen-mandat-godina-dena-delele-pravda/>.

175 Ibid

2022,¹⁷⁶ pointing out that the motion for termination of office, submitted by the Skopje Appellate Court was received on 28 March 2022.¹⁷⁷ On the other hand, the Skopje Appellate Court has not given a concrete answer to this question, indicating only instead that until the expiration of the term of office of the lay judges, the sessions were held with the participation of active lay judges,¹⁷⁸ which points to the fact that there will be no implications for cases involving substantive violations processed in proceedings before this court. In addition, in the report on the working visit to the Skopje Appellate Court by the Commission for Inspection of the JCRNM, nothing disputable was found regarding the issue of lay judges.¹⁷⁹ According to the report, at the session held on 8 June 2022, the JCRNM adopted proposed conclusions regarding the working visit according to which courts are to comply with the law.¹⁸⁰

176 "Announcement from the 398th session of the Judicial Council of the Republic of Macedonia - March 29, 2022", official website of the Judicial Council of the Republic of North Macedonia, <https://bit.ly/3UDYH9L>.

177 Vasko Magleshev, "Justice has been handed out for a year with an expired mandate - Dozens of verdicts at the Skopje appeal are called into question, BIRN learns", Prizma, April 5, 2022, <https://prizma.mk/so-istechen-mandat-godina-dena-delele-pravda/>.

178 Ibid

179 Vasko Magleshev, "How the control of the Judicial Council ruined the year", Prizma, June 9, 2022, <https://prizma.mk/kako-kontrolata-na-sudskiot-sovet-ja-ut-na-godinata/>.

180 "Announcement from the 405th session of the Judicial Council of the RNM - 08.06.2022", official website of the Judicial Council of the Republic of North Macedonia, <https://bit.ly/3tbqtyz>.

The Judicial Council continues to reject the majority of the applications submitted by citizens, mostly due to insufficient education of citizens about the purpose of the applications. Therefore, it is necessary to work on educating the citizens, and a positive step in this direction is the activity foreseen in the Program and Action Plan for Prevention and Monitoring of Corruption in the Judiciary to educate citizens through brochures and through the website about the method and purpose of filing applications.

The upward trend in applications submitted to the Council of Public Prosecutors continued, but the Council does not have a major role in supervising the work of public prosecutors, since, if the members of the Council consider that applications are founded, they simply send them to the Public Prosecutor of the Republic of North Macedonia, which should then take actions to examine the case involving public prosecutors concerned. On the other hand, the Public Prosecutor's Office also has the mandate to receive petitions from citizens, so the question arises, why the need to have two institutions having mandate to act upon applications? Furthermore, this can be confusing for citizens who would not know where to file a complaint. In this respect, wider scope mandate should be given in terms of handling applications by the Council of Public Prosecutors, especially since it has been noted that the CPPRNM does not respond to = submitted applications, and at the same time, it would be more rational and efficient both for citizens and for public prosecutors if applications go through one institution.

It is necessary for both Councils to present, explain or lead a discussion regarding applications at their sessions, as well as to announce the outcome of the action taken regarding an application accepted as founded. This would increase the transparency in the work of the two Councils, as well as the confidence of citizens in the judiciary.

PROFESSIONALISM AND COMPETENCE

The legal framework, as well as guarantees for the correct application of the merit system, have already been established¹⁸¹ and noted in previous Shadow Reports.

In order to introduce a high-quality merit system, in accordance with the Law on the Judicial Council¹⁸² and its consistent implementation, in previous reporting periods the JCRNMM started preparing and adopted a series of piece of secondary legislation required for the improvement of the system for evaluating judges. First of all, the Rules of Procedure of the Judicial Council were adopted,¹⁸³ and then the Rules for the selection of judges from among graduates from the Academy for Judges and Public Prosecutors,¹⁸⁴ defining the selection procedure and Rules for the ranking of candidates for the selection of judges at higher courts.¹⁸⁵ In order to objectively and impartially evaluate judges, the JCRNM adopted a Methodology for evaluating the work of judges based on the fulfilment of qualitative criteria for the work of judges and a Form for evaluating and scoring the fulfilment of the qualitative criteria for the work of judges.¹⁸⁶ In addition, it adopted a Methodology for the qualitative evaluation of Presidents of Courts, a Form for the qualitative evaluation of Presidents of Courts,¹⁸⁷ and Instructions for the method of calculating effective working hours,¹⁸⁸ while on 29 March 2022, it also adopted the Rulebook on the establishment and operation of the Committee at the JCRNM for regular and extraordinary evaluation,¹⁸⁹ as the last piece of secondary legislation required to start the evaluation of judges.¹⁹⁰

With the adoption of the required secondary legislation, the measure of redefining the criteria for the promotion of judges was fulfilled¹⁹¹ and conditions were created for

181 With the adoption of the latest amendments and additions to the Law on Courts, the new Law on the Judicial Council, the Law on Public Prosecutions and the amendments and additions to the Law on the Council of Public Prosecutors, a legal framework was created that is largely in line with international standards regarding the selection of judges and public prosecutors based on a merit system. The Academy for Judges and Public Prosecutors is the only entry point for producing new personnel in the judiciary and public prosecution. Regarding the legal protection of judges for certain measures taken against judges, the right to appeal to the Appeals Council at the Supreme Court was introduced as a kind of guarantee, both in relation to the (non)election of judges and presidents of courts, as well and in relation to the assessment decision.

182 Law on the Judicial Council of the Republic of North Macedonia, Article 36, paragraph 1.

183 "Bylaws", official website of the Judicial Council of the Republic of North Macedonia, <https://bit.ly/3sMy7iE>.

184 Judicial Council of the Republic of North Macedonia, "Regulations on the method of ranking candidates for judges from the Academy of Judges and Public Prosecutors", December 26 2019, <https://bit.ly/3fllebe>.

185 Judicial Council of the Republic of North Macedonia, "Rules for the method of ranking candidates for the election of a judge in a higher court", February 4, 2020, <https://bit.ly/3DqM8aC>.

186 Judicial Council of the Republic of North Macedonia, "Methodology for evaluating the work of a judge based on the fulfilment of the qualitative criteria for the work of the judge and Form for evaluating and scoring the fulfilment of the qualitative criteria for the work of the judge", December 18 2020, <https://bit.ly/3FycwCs>.

187 Judicial Council of the Republic of North Macedonia, "Methodology for qualitative assessment of court presidents and Form for qualitative assessment of court presidents", December 18 2020, <https://bit.ly/3WfHN2J>.

188 Judicial Council of the Republic of North Macedonia, "Instructions on how to calculate effective working hours", December 18 2020, <https://bit.ly/3sLEwL0>.

189 Judicial Council of the Republic of North Macedonia, "Rules for the establishment and operation of the committees of the Judicial Council of the Republic of North Macedonia for regular and extraordinary evaluation", March 29, 2022, <https://bit.ly/3DMsNSV>.

190 In this direction, during 2021, the Methodology with indicators for determining the complexity of cases and the Rulebook on the method of forming commissions for evaluating the work of judges and court presidents were adopted.

191 Measure 2.2.3.-1, 2.2.3.-2, Ministry of Justice, "Strategy for reform of the justice sector for the period 2017-2022 with an Action Plan".

the practical application of relevant legal provisions. In this respect, on 5 April 2022, Committees for inspection and assessment of judges and presidents of courts at first instance courts, appellate courts and the Administrative Court were formed, composed of five members, and tasked with carrying out regular assessment of all judges and presidents of courts.¹⁹² At the same time, Committees were formed to evaluate the work of judges and court presidents, which should perform extraordinary evaluation of candidates who have applied for promotion, i.e. for court president.¹⁹³ The formation of the Committees brought many ambiguities related to their practical work, and in this context, meetings were organized with experts, who were involved in the process of developing the methodologies,¹⁹⁴ with the aim of their easier application and, at the same time, conducting training for the members of the committees.¹⁹⁵ The JCRNM devoted quite some time to preparatory activities for the implementation of the evaluation of judges and presidents of courts, which is understandable, considering that it is a complicated and complex evaluation process.¹⁹⁶ However, the secondary legislation does not define the specific form of decisions on the selection and promotion of judges.¹⁹⁷ On the other hand, their content was defined to a certain extent under several regulations.¹⁹⁸ According to this, in every decision on selection and promotion, it should be stated what are the criteria that distinguish the selected, i.e. promoted judge from the other candidates, or indicate the points, i.e. the points received by each candidate who was selected as a judge at a first instance court, i.e., promoted to a higher court.¹⁹⁹ In addition, the process of adopting secondary legislation and all other preparatory activities in this regard had a negative impact on the promotion of judges who responded to announcements published more than a year ago, and for which the procedure started in August 2021 and which has not yet been fully implemented.²⁰⁰ This delay in the selection of judges to higher instance courts and presidents of courts was justified by the need to carry out an extraordinary evaluation of candidates,²⁰¹ by applying the Methodology for qualitative evaluation of judges and presidents of courts,²⁰² but the need to fill vacant judicial positions in courts is more than necessary, especially after

192 "Announcement from the 399th session of the Judicial Council of the Republic of Macedonia - 04/05/2022", official website of the Judicial Council of the Republic of North Macedonia, <https://bit.ly/3TSVJ13>.

193 Ibid

194 Institute for Human Rights Skopje, "Report from the monitoring of the work of the Judicial Council: January-June 2022", <https://bit.ly/3liiMvYY>.

195 "Training of commissions for inspection and evaluation of judges", official website of the Judicial Council of the Republic of North Macedonia, April 19, 2022, <https://bit.ly/3Nmy5Yf>.

196 Institute for Human Rights Skopje, "Report from the monitoring of the work of the Judicial Council: January-June 2022", <https://bit.ly/3liiMvYY>.

197 Ibid

198 Ibid

199 Ibid

200 A competition was announced on August 6, 2021 for the selection of judges for the Supreme Court, the Appellate Court Skopje, the Appellate Court Gostivar, as well as the selection of judges for the Basic Court Shtip and the Basic Criminal Court Skopje.

201 Law on the Judicial Council of the Republic of North Macedonia, Article 77.

202 "Crenkovska for MIA: 'Commissions from higher courts will choose judges from lower courts'", Media Information Agency – MIA, April 5, 2022, <https://bit.ly/3TJWcTf>.

the retirement of 42 judges due to the entry into force of amendments to the Law on Labor Relations.²⁰³

In the reporting period, 19 public prosecutors were elected at public prosecutors' offices in the Republic of North Macedonia.²⁰⁴ The practice of electing people without discussion, i.e., only by voting "FOR" and "AGAINST", continued.²⁰⁵ As for the process of selecting public prosecutors, this process is pursued very slowly, often with postponement of sessions when the selection should be made, and all this in a situation where there are still public prosecutor's offices where there is not a single public prosecutor.²⁰⁶ With regard to the method of selection and promotion of public prosecutors, the trend of the CPPRNM of not publicly publishing reasoned decisions on the selection and promotion of public prosecutors on its website,²⁰⁷ continued with the exception of those in the form of announcements in which only names of public prosecutors who are elected or promoted are published.²⁰⁸ The reasoning of decisions of the CPPRNM in relation to the selection and promotion of public prosecutors is of exceptional importance for restoring the trust of citizens in the public prosecutor's office.²⁰⁹ In addition, the reporting period was followed by the termination of office of 17 public prosecutors.²¹⁰ More specifically, 15 public prosecutors were terminated due to fulfilling the conditions for old-age pension, which is mainly due to the entry into force of the amendments and additions to the Law on Labor Relations.²¹¹ The other two public prosecutors had their positions terminated at their own request.

Due to the expiration of the term of office of five public prosecutors from the BP-POOCC in January 2022 the CPPRNM published an announcement for the election of new public prosecutors on 15 November 2021.²¹² Although the election of new public prosecutors was supposed to take place no later than 31 January 2022, it was postponed several times, mainly due to inadequate evaluation.²¹³ Namely, certain candidates sent objections to the CPPRNM for receiving grades that are not in accordance

203 "The Law on Labor Relations without the adopted amendments retires 42 judges and 11 prosecutors", TV Telma, July 1, 2022, <https://telma.com.mk/2022/07/01/zakonot-za-rabotni-odnosi-bez-donesenite-izmeni-penzionira-42-sudii-i-11-obviniteli/>.

204 Council of Public Prosecutors of the Republic of North Macedonia, "Response to a request for free access to public information", November 9, 2022.

205 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2nox8>.

206 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93UCm>.

207 <http://sjorm.gov.mk/>.

208 Ibid

209 European Policy Institute - Skopje, "Policy Dialogue Implementation of the Justice Sector Reform Strategy 2017-2022 with Action Plan - Where are we and what next?", September 15, 2021, <https://epi.org.mk/post/17822>.

210 Council of Public Prosecutors of the Republic of North Macedonia, "Response to a request for free access to public information", November 9, 2022.

211 Law on Amendments and Supplements to the Law on Labour Relations, "Official Gazette of the Republic of North Macedonia", no. 151/2021, Article 104.

212 "Announcement for the election of 5 OJ in the 38th session of the Public Prosecutor's Office", official website of the Council of Public Prosecutors of the Republic of North Macedonia, November 15 2021, <http://sjorm.gov.mk/%d0%be%d0%b3%d0%bb%d0%b0%d1%681-5/>.

213 "New attempt to select prosecutors in Ruskovska's team: Ten candidates in the race for five seats", 360 degrees, March 17, 2022, <https://360stepeni.mk/nov-obid-za-izbor-na-obviniteli-vo-timot-na-ruskovska-deset-kandidati-vo-trka-za-pet-mesta/>.

with the valid forms, published and adopted by the Public Prosecutor's Office of the Republic of North Macedonia.²¹⁴ The CPPRNM found the objections to be well-founded, and also established a discrepancy between the explanation of the given grades and the scoring of the candidates.²¹⁵ Out of the ten public prosecutors who applied for the competition, on 17 March 2022, those five whose term of office expired were elected, and they competed in accordance with the legal right to re-election for another four-year term of office.²¹⁶ On the other hand, the election of four new public prosecutors at the BPOOCC, whose positions became vacant in June and August 2022, as a result of the retirement of previous public prosecutors, has been postponed three times.²¹⁷ The main reason for the delay, according to the CPPRNM was the unavailability of all the necessary materials that were requested by the competent prosecutor's office about the candidates and the need for a more detailed analysis of their previous work.²¹⁸

The only point of entry into the judiciary and the public prosecutor's office remains the Academy for Judges and Public Prosecutors (AJPP). After a long process, which lasted more than a year, followed by appeals and objections,²¹⁹ the Commission for the Entrance Exam at the Academy for Judges and Public Prosecutors prepared the final ranking list for the admission of the eighth generation of candidates for initial training at the AJPP.²²⁰ In this context with a view to achieving transparency of the process, including the course of the administrative and administrative-judicial procedure, the AJPP published a short chronological report on the entire course of the exam.²²¹ The admission of the new generation took place on 11 May 2022.²²² New trainees undergoing initial training of the eighth generation started attending the training on 16 May 2022. This generation counts 97 candidates and is the largest generation since 2006.²²³ In the meantime, the staffing gaps in the judiciary and the prosecution, especially after the proposal to extend the work experience for over 60 judges and public

214 "Jolevski: 'If there are conditions for election, the Council will hold a session for the election of public prosecutors on Wednesday'", TV Thelma, February 24 2022, <https://bit.ly/3sLwTUS>.

215 Ibid

216 "Ruskovska stays with the same team, there are no new prosecutors", A1 on, March 17, 2022, <https://a1on.mk/macedonia/ruskovska-si-ostanuva-so-istiot-tim-ne-se-izbrani-novi-obviniteli/>.

217 "For the third time, the session for the selection of 4 new prosecutors in the prosecutor's office for prosecuting organized crime has been postponed", Telma TV, September 20, 2022, <https://telma.com.mk/2022/09/20/po-tret-pat-odlozhen-a-sednicata-za-izbor-na-4-novi-obviniteli-vo-obvinitelstvoto-za-gonenje-organiziran-kriminal/>.

218 The election was held at the CPPRNM session on October 27, 2022, but was unsuccessful. In other words, CPPRNM did not choose any of the six candidates, so it is expected that a new election announcement will be announced. "The selection of prosecutors for organized crime failed", Sitel TV, October 27 2022, <https://sitel.com.mk/propadna-izborot-na-obviniteli-za-organiziran-kriminal>.

219 "Annual report on the work of the Academy of Judges and Public Prosecutors for 2021", <https://jpacademy.gov.mk/reports/>.

220 "Announcement of the ranking list of trainees in the VIIIth generation trainees of initial training at the Academy of Judges and Public Prosecutors", official website of the Academy of Judges and Public Prosecutors "Pavel Shatev", April 15, 2022, <https://bit.ly/3WcFIVv>.

221 Ibid

222 "The admission of the eighth generation of trainees to the initial training at the Academy of Judges and Public Prosecutors was marked", official website of the Academy of Judges and Public Prosecutors "Pavel Shatev", May 11, 2022, <https://jpacademy.gov.mk/odbelezhan-priemot-na-osmata-generacija-slushateli-vo-pochetnata-obuka-vo-akademijata-udii-javni-obiteli/>.

223 Ibid

prosecutors for another three years did not pass in the Parliament, are expected to be partially filled by the end of 2022 with 59 new judges and public prosecutors from the seventh generation, students attending the practical part of the initial training at the AJPP. In this respect, the Director of the AJPP hopes that by the end of 2022, a new public call will be opened for the ninth, even larger generation of candidates, in order to respond to the needs of the judicial and prosecution systems.²²⁴

The new draft Law on the Academy for Judges and Public Prosecutors that was finalized²²⁵ by the working group established in the Ministry of Justice²²⁶ and was endorsed by the Government in June 2021 is still in parliamentary procedure.²²⁷ The draft Law is blocked by the opposition party VMRO-DPMNE, based on the claim that this draft Law violates the procedures and abuses the procedure for enacting EU flagged laws and demands that the draft be withdrawn.²²⁸ In September 2022, the draft Law was put back on the agenda of the European Affairs Committee.²²⁹ The need for the adoption of the new Law on the AJPP is established in the latest report of the European Commission on the Republic of North Macedonia.²³⁰ In this respect, the European Commission pays attention whether when adopting this Law²³¹ recommendations of the TAAIEX assessment mission of 2018 will be taken on board and whether the AJPP will remain the only point of entry into the judiciary and the prosecution, as well as to ensure a fair and transparent approach to these professions.²³²

224 "59 new prosecutors and judges - Gaber: 'By the end of the year there will be a new call'", September 22, 2022, <https://mk.tv21.tv/59-novi-obviniteli-i-sudii-gaber-do-krajot-na-godinava-ke-ima-nov-povik/>.

225 The purpose of the amendments and additions to the law was to address certain inconsistencies in relation to the governing and management authorities, and in addition, changes were introduced in the criteria for the admission of trainees to AJPP.

226 On February 8, 2019, a working group was established within the Ministry of Justice to prepare a proposal for the new Law on the Academy for Judges and Public Prosecutors. The working group is composed of ten members, including the director of AJPP, representatives from the Ministry of Justice, judges, public prosecutors, and representatives of civil society organizations. The preparation of these proposed amendments was aimed at removing the obstacles faced by AJPP. In May 2019, the initial draft of the draft law on AJPP was published on ENER, as well as the notification for the preparation of the law and the draft report on the impact assessment of the regulation. A final report on the impact assessment of the regulation was not published. ENER has four comments on the 2019 draft bill. However, this version was not adopted by the previous parliamentary composition and was returned to the Ministry of Justice for revision (the new version is not published on ENER).

227 Assembly of the Republic of North Macedonia, "Materials - bill for the Academy of Judges and Public Prosecutors", <<https://www.sobranie.mk/materialdetails.nspx?materialId=543628f3-2109-4bd5-8b99-22d543901888>>.

228 "Tense to the Parliamentary Commission for Political System, VMRO-DPMNE does not allow debate on the bill for the Academy of Judges and Public Prosecutors", TV Thelma, February 9, 2022, <https://bit.ly/3hjlDt8>.

229 "Session of the Parliamentary Commission for European Affairs", 24 Vesti, September 26, 2022, <https://24.mk/details/sednica-na-sobraniskata-komisija-za-evropski-prashanja-2>.

230 European Commission, "COMMISSION STAFF WORKING DOCUMENT - North Macedonia 2022 Report", October 12 2022, https://neighbourhood-enlargement.ec.europa.eu/north-macedonia-report-2022_en.

231 Ibid

232 European Policy Institute - Skopje, "Another EC report: new prism, old pains - Short analysis of the EC report on North Macedonia 2022", October 13, 2022, <https://epi.org.mk/post/22317>.

The Judicial Council adopted the last piece of secondary legislation required to start the evaluation of judges, which fulfilled the measure for redefining the criteria for promotion of judges and created conditions for the practical application of relevant legal provisions. However, the secondary legislation does not define the specific form of decisions on the selection and promotion of judges. Accordingly, in every decision on selection and promotion, it is necessary to state the criteria that distinguish the selected i.e., the promoted judge from other candidates, or to indicate the points, i.e., the points received by each candidate who was selected as a judge at a first instance court, i.e., promoted to a higher instance court. It is also necessary to carry out the evaluation as soon as possible, given that the long wait for the implementation of these methodologies has had a negative impact on the promotion of judges who have applied under the public call more than a year ago. The need to fill vacant judge positions at courts is more than evident, especially after the retirement of 42 judges due to the entry into force of amendments to the Law on Labour Relations.

It is necessary for the Council of Public Prosecutors to develop a discussion and give an explanation of the reasons for the election or non-election of a certain public prosecutor, as well as to publish decisions adopted about the election on the Council's website, in order to restore the trust of citizens in the public prosecutor's office.

A quick reaction is needed by the Council of Public Prosecutors for the election of certain public prosecutors in order to prevent the further delay of procedures and undermine the efficiency and quality of work of public prosecutors.

It is necessary to adopt the new Law on the AJPP by observing the recommendations of the 2018 TAIEX assessment mission, as well as to ensure that the AJPP remains the only point of entry into the judiciary and the prosecution by ensuring a fair and transparent approach to these professions.

QUALITY OF JUSTICE

The Academy for Judges and Public Prosecutors (AJPP) continuously works in terms of improving the quality of training and introducing the necessary topics for training based on conducted evaluations of trainings and proposed topics submitted by the Judicial Council, the Council of Public Prosecutors, experts and non-governmental organizations. In the reporting period, there is a significant increase in the number of conducted trainings. Hence, compared to the 130 trainings conducted in 2020,²³³ in 2021 the AJPP organized 214 trainings as part of the mandatory training for judges and public prosecutors, as well as within the framework of voluntary training of professional services in courts and prosecutor's offices.²³⁴ In addition, the number of conducted trainings in 2020 is exceeded by the number of conducted trainings in the first nine months of 2022, where from January to September 2022 a total of 159 trainings were implemented.²³⁵ Under such trainings, the number of judges and public prosecutors who underwent training on the case law of the ECtHR increased significantly, i.e. the number of judges and public prosecutors who underwent such training in 2021 increased by 37% compared with 2020.²³⁶ However, there is a decrease in the number of held trainings related to child victims, i.e., in 2021 only five trainings were held,²³⁷ while in 2020, 17 trainings were held.²³⁸

In terms of cooperation with other bodies and institutions, the AJPP has signed memoranda of cooperation with several relevant institutions, international and non-governmental organizations during the reporting period²³⁹ More specifically, with the aim of implementing activities focused on strengthening the institutional capacities, according to which a higher quality will be ensured in the implementation of trainings intended for judges and public prosecutors, as well as for trainees attending initial training, the AJPP November 2021 renewed the memorandum of cooperation with the Judicial Academy of the Republic of Turkey,²⁴⁰ and in May 2022 it signed a memorandum of cooperation with the Center for Training and Judicial Studies (SSR) of the Kingdom of the Netherlands.²⁴¹ In addition, by signing the memorandum of cooperation with the

233 Academy for Judges and Public Prosecutors, "Response to Request for Free Access to Public Information", April 12, 2021.

234 Academy of Judges and Public Prosecutors, "Response to Request for Free Access to Public Information," November 1, 2022.

235 Ibid

236 The number of judges and public prosecutors who underwent training on the judicial practice of the ECHR for 2021 is 592 trainees, compared to 2020, where it is 431 trainees.

237 Academy of Judges and Public Prosecutors, "Response to Request for Free Access to Public Information," November 1, 2022.

238 Academy for Judges and Public Prosecutors, "Response to Request for Free Access to Public Information", April 12, 2021.

239 Academy for Judges and Public Prosecutors, "Memoranda of Cooperation", <<https://jpacademy.gov.mk/cooperation/>>.

240 "Signed memorandum of cooperation between the Academy of Judges and Public Prosecutors and the Judicial Academy of the Republic of Turkey", official website of the Academy of Judges and Public Prosecutors "Pavel Shatev", November 24 2021, <https://bit.ly/3SxvJn>.

241 "Signed memorandum of cooperation between the Academy of Judges and Public Prosecutors and the Center for Training and Judicial Studies (SSR) of the Kingdom of the Netherlands", official website of the Academy of Judges and Public Prosecutors "Pavel Shatev", 10 May 2022, <https://bit.ly/3S0dc9z>.

AIRE Centre, the AJPP became part of the initiative to establish a Regional Network of Judges dedicated to strengthening gender equality.²⁴² In order to continuously expand the knowledge on European legislation of judges and public prosecutors, the AJPP continued cooperating with the European Judicial Training Network (EJTN) and the Academy of European Law (ERA).²⁴³

Personnel and technical re-equipment, as well as provision of adequate premises, still remain a challenge, and are of exceptional importance for improving the quality of trainings conducted by the AJPP. The need to improve the premises of the AJPP, primarily the training rooms, but also personnel re-equipment and budget increase, is given as a general recommendation in the report of the TAIEX evaluation mission.²⁴⁴ The need to strengthen the capacities of the AJPP, especially to improve the budget and autonomy of the AJPP, is envisaged in the Action Plan for the implementation of urgent reform priorities.²⁴⁵ With a view to improving the budget approved for the AJPP against the observed fluctuations of the amounts approved on an annual level in the past five years, in 2022 a significant increase of the approved annual budget is observed.²⁴⁶ Namely, due to the admission of the eighth generation of candidates for initial training at the AJPP, the budget of the AJPP for 2022 was MKD 131,793,000.00, compared to the previous year, when it was MKD 72,200,000.00.²⁴⁷

On the eve of the expiration of the term of office of the current director of the AJPP in November 2022, the AJPP Management Board on 14 July 2022 published an announcement for the election of a new director.²⁴⁸ Although it was said that female candidates registered in the announcement for the election of a director meet the requirements for the position, as well as all the given criteria, none of them received the legally required five votes by the members of the Management Board²⁴⁹ at the session held on 30 August 2022.²⁵⁰ Regarding the transparency and accountability of the AJPP Management Board, it was not explained why individual members did not vote, nor why

242 "The Academy for Judges and Public Prosecutors is part of the Regional Network of Judges for Gender Equality", official website of the Academy for Judges and Public Prosecutors "Pavel Shatev", July 13, 2022, <https://bit.ly/3WkMt7o>.

243 Academy for Judges and Public Prosecutors, "Memoranda of Cooperation", <<https://jpacademy.gov.mk/cooperation/>>.

244 Report from the evaluation mission of TAIEX for the training of judges and public prosecutors in the Republic of Macedonia, Judge Lennart Johanson and Judge Dragomir Jordanov (unpublished).

245 "Action plan for the realization of urgent reform priorities 2015 (working document)", <https://www.sep.gov.mk/post/?id=862>.

246 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2noxB>.

247 Academy of Judges and Public Prosecutors, "Response to Request for Free Access to Public Information", August 26, 2022.

248 "Advertisement for the election of the director of AJPP", "Official Gazette of the Republic of North Macedonia", no. 160/2022.

249 "Five members of the Board of Directors of the Academy of Judges and Public Prosecutors pushed the election of the director, did not say why they did not vote," I want to say, August 30, 2022, <https://bit.ly/3gKZHtQ>.

250 "The Board of Directors of the Academy of Judges and Public Prosecutors has not chosen a director, will publish a new advertisement", 360 degrees, August 30, 2022, <https://360stepeni.mk/upravniot-odbor-na-akademijata-za-sudii-i-javni-obviniteli-ne-izbra-direktor-ke-raspishuva-nov-oglas/>.

they abstained from voting.²⁵¹ The call failed, and the Board of Directors will publish a new announcement for a director.²⁵²

As regards the issue of harmonization the case law, the Case Law Department at the Supreme Court of the Republic of North Macedonia (SCRNM) held four sessions in 2021, and from January to September 2022 it held three sessions.²⁵³ Unlike in 2020, when judges from different appellate circuits and the SCRNM did not have a single meeting (on the case law),²⁵⁴ in 2021 they held one meeting.²⁵⁵ The working meetings on harmonization of the case law continued even with greater intensity in 2022, when three meetings were held,²⁵⁶ with the last meeting taking place at the beginning of June 2022.²⁵⁷ The financial support for the organization of these meetings remains to be provided through external assistance and implementation of projects through which the civil sector is also involved in such meetings.²⁵⁸ In order to achieve greater degree of harmonization of the case law, a greater number of meetings of the SCRNM with appellate courts is needed, as well as an intensification of activities of the case law departments. In order to follow the guidelines and positions taken by appellate courts at their meetings, the conclusions of these meetings should be more transparent, which will simplify the application of the case law.²⁵⁹ In addition, the process of publishing court judgements proceeds smoothly, and all court decisions are published on the sud.mk court web portal, but the process is not structured in order to use judgements in an easy and accessible manner. This is due to the fact that there is no possibility to find a specific case law accurately and quickly, nor is there a methodology for extracting leading judgements in relation to the creation of case law.²⁶⁰

In the reporting period, the proactive role of the Case Law Department continued in terms of adoption of general positions and principal legal opinions. Namely, the Case

251 "Five members of the Board of Directors of the Academy of Judges and Public Prosecutors pushed the election of the director, did not say why they did not vote," I want to say, August 30, 2022, <https://bit.ly/3gKZhtQ>.

252 "The Academy for Judges and Prosecutors did not choose a director between Gaber Damjanovska and Ristova", August 30, 2022, <https://fokus.mk/akademijata-za-sudii-i-obviniteli-ne-izbra-direktorka-megu-gaber-damjanovska-i-ristova/>.

253 Supreme Court of the Republic of North Macedonia, "Response to a request for free access to public information", November 7, 2022.

254 Iva Conevska Vangelova and Zlatka Stamboliska-Popovska, "Report for 2020 on the results of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, "Zenith" Association, September 20, 2021, <https://epi.org.mk/post/19920>.

255 Supreme Court of the Republic of North Macedonia, "Response to a request for free access to public information", November 7, 2022.

256 Ibid

257 The meeting was held on the 7th and 9th of June 2022 with all the appellate courts in the country. It was organized by the Center for Legal Research and Analysis, in cooperation with the Academy for Judges and Public Prosecutors. At the meeting, the legal issues from the criminal and civil area of the appeals courts were considered, for which it is necessary to harmonize the positions with the aim of harmonization in the application of the law by the courts in the Republic of North Macedonia. "Meeting of the Supreme Court and Courts of Appeal", official website of the Supreme Court of the Republic of North Macedonia, June 16, 2022, <https://bit.ly/3FDHJnA>.

258 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2noxB>.

259 Dusko Georgievski, "Analysis of the quality and equality of court decisions in the civil-legal area", European Policy Institute and "Zenith" Association, August 2021, <<https://bit.ly/3UfOKPz>>.

260 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2noxB>.

Law Department recorded the general positions and principal legal opinions established at General Session of the SCRNM, the legal opinions and conclusions of specialized departments and accepted sentences of councils by systematizing them by legal areas and published them on the website of the SCRNM under the case law section. Thus, during the reporting period, two principal legal opinions, one general position, nine legal opinions, 24 conclusions and nine sentences were published on the SCRNM website.²⁶¹

After a delay of more than a year and exceeding the deadline set in the 2017-2022 Justice Sector Reform Strategy Action Plan,²⁶² the new Law on Mediation was adopted on 27 December 2021.²⁶³ The working group²⁶⁴ refined the version of the mediation draft law prepared by the previous working group in 2018, which was not adopted by the previous parliamentary composition.²⁶⁵ The new draft mediation bill was not published on the ENER platform, so the Regulatory Impact Assessment Report (RIA) and all comments published on the ENER refer to the draft law published in 2018.²⁶⁶ However, proposals regarding the draft law were submitted by various stakeholders to the Ministry of Justice and they were consulted by the working group.²⁶⁷ The law follows Directive 2008/52/EC on mediation in civil and commercial disputes²⁶⁸ and the 2018 CEPEJ Mediation Development Toolkit,²⁶⁹ which brings the Republic of North Macedonia closer to European mediation standards. The main emphasis in the Law is placed precisely on strengthening the integrity and quality of mediators, which proved to be a key factor for the promotion of mediation and its practical application.²⁷⁰ Accordingly, the Law revised the method of passing the exam for mediators, introduced the possibility of starting the mediation procedure electronically and introduced the mandatory entry of all received applications for mediation in the Electronic Register, introduced by the Ministry of Justice in August 2020,²⁷¹ as well as mandatory entry of data on the further course of the procedure.²⁷² In addition, the Law regulates the operation and mandate of the body in charge of ensuring, monitoring and evaluating the quality

261 Monitoring of the website of the Supreme Court of the Republic of North Macedonia.

262 Ministry of Justice, "Strategy for reform of the justice sector for the period 2017-2022 with an Action Plan".

263 Mediation Law, "Official Gazette of the Republic of North Macedonia", no. 294/2021.

264 The working group was established in the Ministry of Justice, which included the director of AJPP, a representative of the non-governmental sector, representatives from the Chamber of Mediators of the Republic of North Macedonia (KMRNM), including the president of KMRNM.

265 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2nox8>.

266 Ibid

267 Ibid

268 Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters, CELEX 32008L0052, OJ L 136, 24.5.2008, <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32008L0052>, p. 3-8.

269 European Commission for the Efficiency of Justice (CEPEJ), "Mediation Development Toolkit - Ensuring Implementation of the CEPEJ Guidelines on Mediation", CEPEJ()17REV 2018, <https://rm.coe.int/mediation-development-toolkit-ensuring-implementation-of-the-cepej-gui/16808c3f52>.

270 "Debate: The number of cases resolved by mediation is growing, but there is still low awareness of it", official website of the European Policy Institute (EPI) - Skopje, September 16, 2022, <https://epi.org.mk/post/22207>.

271 Ministry of Justice, "E-register for recording mediation cases", August 17, 2020, <http://mediation.pravda.gov.mk/login>.

272 "The path of mediation in the Republic of North Macedonia", European Policy Institute - Skopje, August 17, 2022, <https://epi.org.mk/post/22023>.

of mediation, i.e., the National Mediation Council was introduced.²⁷³ Hence, at the 54th session of the Government, the Vice-President of the Chamber of Commerce of the Republic of North Macedonia and the President of the Association for Mediation at the Chamber, Jelisaveta Georgieva-Jovevska, was named the first national coordinator for mediation.²⁷⁴ Subsequently, the Government published a public announcement for expression of interest in participating in the National Mediation Council, with a deadline for applications until 5 August 2022,²⁷⁵ and at the session held on 6 September 2022, it adopted the Decision to appoint the four members and the Secretary of the National Mediation Council from the ranks of civil servants at the state administration at the Ministry of Justice.²⁷⁶

In order to consistently apply the new Law on Mediation, in April 2022 the foreseen secondary legislation was adopted, such as: the Rulebook on the precise criteria, the method of subsidizing, the payment, the form for the collected fees, the costs of the mediator, the form of the request for subsidy and the necessary documentation, which is submitted in addition to the request for subsidizing part of the mediation costs;²⁷⁷ Rulebook on the manner of supervising the work of the Chamber of Mediators of the Republic of North Macedonia;²⁷⁸ The Rulebook on the content of the Register of received applications for mediation and the method of entering received applications for mediation²⁷⁹ and the Rulebook on the program for taking the exam for mediators, the manner of organizing and taking the exam, the manner of conducting the exam, as well as the form and content of the certificate of passing the exam.²⁸⁰ The fee for mediators, which determines the award and compensation of costs of mediators for activities performed in the mediation procedure, recorded in the Register of received applications for mediation, was adopted under the last secondary legislative document in September 2022.²⁸¹

273 According to the law, the National Council has its own budget, and the criteria that the national coordinator and members have to meet in order to be elected by the RNM Government are provided.

274 "Minutes of the 54th session of the Government", official website of the Government of the Republic of North Macedonia, June 21, 2022, <https://vlada.mk/2022-54>.

275 "Public announcement for expression of interest in participating in the National Mediation Council", official website of the Government of the Republic of North Macedonia, August 5, 2022, <https://vlada.mk/node/29660>.

276 Ljupco Sotiroski, Ivana Talevska-Trendafilova, Zoran Petkovic-Bakli and Miljazim Mustafa were appointed as members of the National Mediation Council, and Vasko Nelovski from the Ministry of Justice was appointed as the secretary of the National Mediation Council from among the administrative officers in the state administration. "Decision on the appointment of members and secretary of the National Mediation Council", "Official Gazette of the Republic of North Macedonia", no. 201/2022.

277 Rulebook on the closer criteria, the method of subsidizing, the payment, the form for the collected award, the costs of the mediator, the form of the request for subsidizing and the necessary documentation that is submitted in addition to the request for subsidizing a part of the costs of mediation, "Official Gazette of the Northern Republic Macedonia", no. 91/2022.

278 "Regulations on the method of supervising the work of the Chamber of Mediators of the Republic of North Macedonia", "Official Gazette of the Republic of North Macedonia", no. 100/2022.

279 "Regulations on the content of the Register of received requests for mediation and the method of entering received requests for mediation", "Official Gazette of the Republic of North Macedonia", no. 100/2022.

280 "Rules for the Program for taking the exam for mediators, the way of organizing and taking the exam, the way of conducting the exam, as well as the form and content of the certificate of passing the exam", "Official Gazette of the Republic of North Macedonia", no. 101/2022.

281 "Tariff list for mediators", "Official Gazette of the Republic of North Macedonia", no. 194/2022.

In the next period, a consistent application of the legal amendments is needed, as well as an improvement of the system of achieving quality in the work of mediators. Namely, trainings conducted in March²⁸² and May²⁸³ 2022 show that all mediators are not competent enough in handling disputes. They indicate that the focus should be placed on improving and maintaining the quality of mediators, ensuring continuous appropriate training, and introducing qualitative assessment of their work on an annual basis. The Chamber of Mediators is now more visible than before and should guide its activities in this direction, by connecting with international mediation networks, in order to exchange good practices and experiences.²⁸⁴ Furthermore, conducted surveys show that the public still knows little about mediation, both in general and professionally.²⁸⁵ In this respect, it is necessary for the Government to implement visible activities under the mediation promotion campaign “There is a solution”, announced in January 2022.²⁸⁶ On the other hand, the public administration is more informed than before, but it is important to target and get to know the units of the public administration that work on mediation.²⁸⁷ The public administration has established information channels related to the application of mediation, so the promotion of mediation should be along those lines.²⁸⁸ More training is also needed for judges and prosecutors, who work on cases the character of which is such that they could be settled through mediation, as well as more training for future judges and prosecutors on mediation, as part of the initial training at the AJPP.²⁸⁹ Budget funds are also needed for increased use of mediation in accordance with the Law on Justice for Children, especially considering that mediation means less costs for the parties. In this context, at the moment when the prosecutor’s office creates its budget, it should have an estimate of the numbers of cases that relate specifically to children.²⁹⁰

282 “Mediators and trainers from AJPP improve their skills with the help of Dutch partners”, official website of the European Policy Institute (EPI) – Skopje, February 28, 2022, <https://epi.org.mk/post/20461>.

283 “A second group of current and future mediation trainers received training in methods and skills from Dutch experts”, official website of the European Policy Institute (EPI) – Skopje, May 9, 2022, <https://epi.org.mk/post/20820>.

284 Ardita Abazi Imeri, “Benefits of Mediation – Awareness in the Public Administration and Business Sector in North Macedonia”, Yearbook for European Law, Policies and Institutions (Yearbook on European Law, Policies, and Institutions), vol. 1, European Policy Institute – Skopje, 2022, p. 9–19, November 8, 2022, <https://epi.org.mk/post/22474>.

285 “Rating” Agency, “Perception of the public administration and the private sector about mediation as a way to resolve disputes in the Republic of North Macedonia”, European Policy Institute – Skopje, October 25 2021, <https://epi.org.mk/post/18108>; Gordana Lažetić, Olga Koshevaliska and Lazar Nanev, “Analysis of the application of mediation in North Macedonia”, European Policy Institute – Skopje, June 13, 2022, <https://epi.org.mk/post/21393>.

286 “Maricic announced the ‘There is a solution’ campaign: Mediation is a faster and more economical procedure”, official website of the Government of the Republic of North Macedonia, January 14, 2022, <https://vlada.mk/node/27370>.

287 Ardita Abazi Imeri, “Benefits of Mediation – Awareness in the Public Administration and Business Sector in North Macedonia”, Yearbook for European Law, Policies and Institutions (Yearbook on European Law, Policies, and Institutions), vol. 1, European Policy Institute – Skopje, 2022, p. 9–19, November 8, 2022, <https://epi.org.mk/post/22474>.

288 Ibid

289 Gordana Lažetić, Olga Koshevaliska and Lazar Nanev, “Analysis of the application of mediation in North Macedonia”, European Policy Institute – Skopje, June 13, 2022, <https://epi.org.mk/post/21393>.

290 Institute for European Policy – Skopje, “Public policy document ‘Implementation of the Justice Sector Reform Strategy 2017–2022’” (n 32).

The Law on Litigation Procedure, which was endorsed by the Government in July 2021²⁹¹ and submitted to the Parliament in August 2021,²⁹² is still in the first Parliamentary reading, under review before the working bodies of the Parliament and has not been examined at a plenary session of the Parliament.²⁹³ In the absence of an explanation as to why the procedure is “stuck”, one of the reasons could be the fact that it is a Law that is adopted by a two-thirds majority (because it regulates court proceedings) and for which a general consensus between political parties is required or is subject of certain policy negotiations.²⁹⁴ The draft Law foresees a comprehensive reform in a large number of legal institutes that are governed by the Law on Litigation Procedure, efficient exercise of rights and interests of all parties to the procedure, as well as its clarification and harmonization with related laws.²⁹⁵ Its adoption is of exceptional importance, in respect of which the European Commission is again reacting.²⁹⁶ Therefore, it is necessary for the Parliament to adopt the Law without delay, in order to promptly start extensive activities necessary to prepare the capacities of the judiciary for its application.²⁹⁷

A proposal for a new Expert Witness Law was published on the ENER in February 2022,²⁹⁸ but the Law has not yet been adopted by the Government. Civil society organizations working in the field of justice were not included in the working group drafting the text.²⁹⁹ A key reform brought by the draft Law is the abolition of the Bureau of Forensic Expertise as a separate body of the state that provides expert opinions. In addition, the legal framework for the functioning of the Chamber of Experts is improved, the provisions on disciplinary responsibility of experts are adjusted and efforts are made to eliminate other shortcomings. With the reforms of the expert witness system, it is necessary, among other things, to provide access to experts for beneficiaries of the right to free legal aid.³⁰⁰

291 “Minutes of the 92nd session of the Government”, official website of the Government of the Republic of North Macedonia, July 27, 2022, <https://vlada.mk/vladani-sednici?page=2>.

292 “The new Law on Civil Procedure – a reform that is still in parliamentary procedure”, Akademik, May 3, 2022, <https://akademik.mk/noviot-zakon-za-parnichnata-postapka-reforma-koja-se-ushte-e-vo-sobraniska-protsedura/>.

293 “Details of material – proposal of the Law on Litigation Procedure”, official website of the Assembly of the Republic of North Macedonia, <https://www.sobranie.mk/detali-na-materijal.nsp?param=1d144644-0f3a-4f12-b3da-bea6154d4f87>.

294 Ardita Abazi Imeri et al., “Analysis – Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017–2022”, European Policy Institute – Skopje, November 10, 2022, <https://bit.ly/3X2noxB>.

295 “The new Law on Civil Procedure – a reform that is still in parliamentary procedure”, Akademik, May 3, 2022, <https://akademik.mk/noviot-zakon-za-parnichnata-postapka-reforma-koja-se-ushte-e-vo-sobraniska-protsedura/>.

296 European Commission, “COMMISSION STAFF WORKING DOCUMENT – North Macedonia 2022 Report”, October 12 2022, https://neighbourhood-enlargement.ec.europa.eu/north-macedonia-report-2022_en.

297 Ardita Abazi Imeri et al., “Analysis – Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017–2022”, European Policy Institute – Skopje, November 10, 2022, <https://bit.ly/3X2noxB>.

298 “Proposal of the Law on Expertise”, electronic national register of regulations of the Republic of North Macedonia – ENER, February 17 2022, https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=70466.

299 Ardita Abazi Imeri et al., “Analysis – Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017–2022”, European Policy Institute – Skopje, November 10, 2022, <https://bit.ly/3X2noxB>.

300 Ibid

Under the criminal law reform, the draft text of a new Criminal Code was published in the reporting period of the ENER.³⁰¹ The new draft text recodifies the crimes prescribed in other laws, all the latest international standards are incorporated, namely in the field of terrorism, environmental crime, financial fraud, illegal production and arms trade.³⁰² At the same time, special attention is paid to redefining the penal policy in the prescription of punishments, as well as redefining the provisions for confiscation and improving the provisions for the safety of doctors and journalists.³⁰³ In addition, changes have been made and new crimes have been introduced in order to comply with the Istanbul Convention, but changes are still needed for full compliance with the Convention.³⁰⁴ After numerous public reactions, as well as reaction by the professional public during the past year,³⁰⁵ a new crime was introduced in the draft text - reckless driving of a motor vehicle.³⁰⁶ The draft Law is expected to be adopted by the end of 2022.³⁰⁷ On the other hand, in addition to drafting the text of the new Criminal Code, the amendments and additions to the existing Criminal Code,³⁰⁸ which have been in parliamentary procedure since August 2021, but have not yet been adopted.³⁰⁹

In the reporting period, preparations began for the drafting of a new Civil Code, announced as the biggest reform in the field of civil law, whose working group had its constitutive session in July 2022.³¹⁰ In the same month, ENER published a proposal for a new Law on the Management of Confiscated Property, Property Benefits and Seized Items in Criminal and Misdemeanour Proceedings,³¹¹ in the preparation of which civil society organizations working in the field of justice have an active role.³¹²

301 "Proposal of the Criminal Code", electronic national register of regulations of the Republic of North Macedonia - ENER, July 7, 2022, https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=74071.

302 "The procedure for the preparation of the Draft Criminal Code has begun", Akademik, May 4, 2022, <https://akademik.mk/postapkata-za-podgotovka-na-predlog-na-krivichniot-zakonik-e-zapochnata/>.

303 Ibid

304 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2nox8>.

305 "Maricic on the suspended sentence for the accident in Ohrid: 'I cannot be indifferent, I expect a fair decision'", 360 degrees, November 15 2022, <https://360stepeni.mk/marichik-za-uslovnata-kazna-za-soobrakajkata-vo-ohrid-ne-mozham-da-bidam-ramnodushen-ochekuvam-pravedna-odluka/>.

306 "A new criminal offense 'Reckless driving of a motor vehicle' will be introduced", Akademik, November 16, 2021, <https://akademik.mk/kje-se-vovede-novo-krivichno-delo-bezobzirno-upravuvane-so-motorno-vehicle/>.

307 "Tupancevski: 'The new Criminal Code will be adopted to the end of the year'", 360 Degrees, 17 February 2022, <https://360stepeni.mk/tupancheski-noviot-krivichen-zakonik-ke-se-donese-do-krajot-na-godinata/>.

308 "Proposed Law on Amendments and Supplements to the Criminal Code", Electronic National Register of Regulations of the Republic of North Macedonia - ENER, March 2, 2021, https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=61439.

309 The draft law on amending and supplementing the existing Criminal Code implements the Istanbul Convention by establishing new criminal offenses that include gender-based violence, redefining the existing ones, as well as tightening the penal policy in relation to these crimes. In addition, it intervenes in crimes related to the safety of journalists, changes certain provisions in the sphere of confiscation and torture, and aligns the CC with Directive (EU) 2017/1371 on combating fraud in relation to the financial interests of the Union by applying of criminal law.

310 "Tupancevski: 'With the new Civil Code, the biggest reform in the sphere of civil law will be implemented'", official website of the Government of the Republic of North Macedonia, July 8, 2022, <https://vlada.mk/node/29538>.

311 "Proposed law on confiscated property, property proceeds and confiscated items in criminal and misdemeanor proceedings", electronic national register of regulations of the Republic of North Macedonia - ENER, July 15, 2022, https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=74776.

312 Justice Reform Blueprint Group, "Response to a request for an opinion on the draft text of the Law on the Management of Confiscated Property, submitted on 07/22/2022", 3 August 2022.

Personnel, technical and infrastructural re-equipment still remain a challenge, and are of exceptional importance for improving the quality of trainings conducted by the AJPP. It is necessary to provide new premises for the Academy of Judges and Public Prosecutors in order to be able to fully perform its primary mandate, namely, to organize trainings within the framework of continuous training, as well as to have sufficient opportunities to receive new candidates for initial training.

In order to harmonize the case law, it is necessary through joint meetings of the Supreme Court of the Republic of North Macedonia with appellate courts to take common positions on certain legal issues for the sake of greater uniformity in the decision-making, as well as to increase the activity of the case law departments. In order to follow the guidelines and positions taken by appellate courts at their meetings, the conclusions of these meetings should be more transparent, which will simplify the application of the case law.

After a delay of more than a year and exceeding the deadline established in the Action Plan of the 2017-2022 Justice Sector Reform Strategy, the new Law on Mediation was adopted, and subsequently the foreseen secondary legislation. In the next period, a consistent application of the legal amendments is needed, as well as an improvement of the system for achieving quality in the work of mediators. The Chamber of Mediators is now more visible than before and should guide its activities in this direction, by connecting with international mediation networks, in order to exchange good practices and experiences. It is also necessary to further advance the concept of mediation through promotional activities. In this context, the Government needs to carry out visible activities under the campaign for the promotion of mediation "There is a solution". More training is also needed for judges and prosecutors, who work on cases that could be settled through mediation, as well as more training for future judges and prosecutors on mediation, as part of the initial training at the AJPP.

It is necessary for the Parliament to adopt the new Law on Litigation Procedure without delay, in order to promptly start extensive activities necessary to prepare the capacities of the judiciary for its application.

EFFICIENCY

According to data of the 2021 Annual Report of the Judicial Council,³¹³ in 2021 courts managed to overcome the influx of cases and reduced the backlog by 2,256 cases. Based on statistical reports on the work of courts, the JCRNM states that in 2021, out of 34 courts, 15 courts were up-to-date, while 19 courts were not up-to-date, namely four appellate courts, 15 first instance courts and the JCRNM. In addition to increasing the efficiency of the judiciary during 2021, in cooperation with presidents of courts, the JCRNM took concrete measures to reduce the backlog of cases in the judiciary, older than three, seven and ten years. Hence, in order to reduce the number of cases older than seven and ten years, the JCRNM adopted a decision, under which through Presidents of courts, it tasked judges who work on this type of cases, to prepare a plan and projection for the resolution of each case. The plan and the projection are an integral part of reports of working bodies, which are submitted monthly to the JCRNM. As a result of measures highlighted above, the JCRNM states in the report that a large number of old cases have been resolved in all courts. However, in this reported period, the trend of incompatibility of the data on the workload of courts from the Ministry of Justice with data of the JCRNM continued.³¹⁴ At the same time, courts work according to different methodologies, so some data are filed as cases that are, and some as cases that are not within the prescribed number of cases.³¹⁵ Therefore, it is necessary to establish a mechanism for keeping unique and absolutely accurate statistics on the workload of courts, otherwise it is futile to perform analyzes and take appropriate actions to overcome the backlog of cases of courts.³¹⁶

According to the 2021 Annual Report on the Work of the Public Prosecutor's Offices,³¹⁷ on the other hand, the work on cases by the Public Prosecutor's Office of the Republic of North Macedonia, the higher public prosecutor's offices, the basic public prosecutor's offices and the Basic Public Prosecutor's Office against Organized Crime and Corruption in 2021 was efficient and professional. Despite the problems they face, such as a significantly reduced number of public prosecutors, the incompletely filled public prosecutor's office and insufficient financial resources for work, the public prosecutor's offices managed to overcome the influx of new criminal charges and reduce

313 Judicial Council of the Republic of North Macedonia, "Annual report on the work of the Judicial Council of the Republic of North Macedonia for 2021", February 2022, <https://bit.ly/3Uqkjqa>.

314 "Discussion on the Shadow Report on Chapter 23 for the period October 2021 - September 2022", official website of the European Policy Institute - Skopje, November 25, 2022, <https://epi.org.mk/post/22609>.

315 Ibid

316 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93UCm>.

317 Public Prosecutor's Office of the Republic of North Macedonia, "Report on the work of the public prosecutor's offices of the Republic of North Macedonia in 2021", June 2022, <https://bit.ly/3E0kkM7>.

the number of pending cases. Thus, 62.8% of criminal charges were resolved during 2021, compared to 2020, when 54% of the total number of charges were resolved. Additionally, at the end of 2021, 37.2% of pending criminal charges remained, compared to 2020, when 46% of pending criminal charges remained.

However, increasing the efficiency of the judiciary and of the public prosecutor's office undoubtedly requires more financial resources, an increase in human resources, as well as an improvement of the premises and of the technical conditions for work.

The problem with the lack of staff, as one of the main problems faced by the judiciary and the public prosecution, was also present during 2021, and was worsened in July 2022. The entry into force of amendments to the Law on Labour Relations and the non-adoption of amendments to extend the work experience of judges and public prosecutors for another three years had an impact on the efficient functioning of the judiciary and the prosecution. Namely, despite the fact that in 2021 there were new employments at courts, the 2021 Annual Report of the Judicial Council emphasizes the need for management staff, professional and administrative-technical staff, and professional staff in the field of information technology, human resources management, internal audit, public internal financial control and strategic planning.³¹⁸ Due to the insufficient number of judges in accordance with the systematization of jobs adopted by the JCRNM, in 2021 the Council adopted ten decisions on the temporary assignment of judges,³¹⁹ and in the first nine months of 2022, due to the retirement of 59 judges,³²⁰ the Council adopted five decisions on temporary assignment of judges.³²¹ In this context, on 31 August 2022, the JCRNM convened an urgent session to consider the request from the AJPP to determine the number of vacant judicial positions first instance courts in the Republic of North Macedonia.³²² At the session, the JCRNM adopted a decision by which it determined one hundred vacant judicial positions at first instance courts in the Republic of North Macedonia, with the aim of publishing an announcement for the ninth generation of candidates for judges at the Academy of Judges and Public Prosecutors.³²³ In the next period, it is necessary for the JCRNM to make a multi-year plan for the deployment and filling of judicial posts, given that a significant number of judges are expected to fulfil the conditions for old-age pension in the following years as well.³²⁴

318 Judicial Council of the Republic of North Macedonia, "Annual report on the work of the Judicial Council of the Republic of North Macedonia for 2021", February 2022, <https://bit.ly/3Uqkjga>.

319 Ibid

320 Judicial Council of the Republic of North Macedonia, "Response to a request for free access to public information", November 25, 2022.

321 Judicial Council of the Republic of North Macedonia, "Response to a request for free access to public information", November 16, 2022.

322 "Announcement on the urgent 414th session of the Judicial Council of the Republic of North Macedonia - 31.08.2022", official website of the Judicial Council of the Republic of North Macedonia, August 30, 2022, <https://bit.ly/3zGxKu8>.

323 "Announcement from the 414th session of the Judicial Council of the Republic of Macedonia - 31.08.2022", official website of the Judicial Council of the Republic of North Macedonia, <https://bit.ly/3UpeHfB>.

324 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93UCm>.

Lack of staff is also observed at public prosecutor's offices. In 2021, out of a total of 262 systematized positions at public prosecutor's offices, only 172 positions were filled.³²⁵ The number of filled jobs was reduced by another hundred, so that, as of September 2022, only 162 places were filled.³²⁶ For the performance of functions determined by laws, it is of great importance to quickly fill the vacant positions of public prosecutors, especially in the basic public prosecutor's offices, where there is not a single public prosecutor.³²⁷ It is also necessary to fill the vacancies for minute takers and other administrative personnel, primarily to strengthen the capacities of investigative centres.³²⁸ However, in order to achieve all this, it is necessary for the CPPRNM to adopt a methodology based on which the exact number of necessary public prosecutors will be determined, as well as the need for professional associates in order for the public prosecutor's service to function properly.³²⁹

In the reporting period, the lack of staff was also crucial in the performance of the Constitutional Court's statutory obligations, about which the court warned several times.³³⁰ With four judges less than the constitutionally stipulated nine judges, at its sessions, for more than nine months, this Court has deliberated on cases in which it is not viable to get to a majority decision and consequently cases are postponed for an indefinite period.³³¹ The twelfth session of the Constitutional Court for 2022 was the first session at which no decision was adopted on any of the items on the agenda.³³² Due to an incomplete composition, the Court has not adopted decisions in more than 30 cases, and the staffing problem also affects the possibility of implementing major reforms at the Constitutional Court, such as the adoption of a new rules of procedure, since the Court is still working according to the rules of procedure adopted in 1992.³³³ The election of new constitutional judges was stuck in the Parliament for months. After multiple delays and blockages, on 13 May 2022, the Parliamentary Committee

325 Public Prosecutor's Office of the Republic of North Macedonia, "Report on the work of the public prosecutor's offices of the Republic of North Macedonia in 2021", June 2022, <https://bit.ly/3E0kkM7>.

326 Discussion on the Shadow Report on Chapter 23 for the period October 2021 - September 2022", official website of the European Policy Institute - Skopje, November 25, 2022, <https://epi.org.mk/post/22609>.

327 Basic Public Prosecutor's Office Kriva Palanka, Basic Public Prosecutor's Office Sveti Nikole, Basic Public Prosecutor's Office Delchevo, etc.

328 Ibid

329 Emilia Spasovska, "Report from the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022", Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93UCm>.

330 "Kacarska: The situation at the Constitutional Court is serious, until the number of judges is filled, important cases will not be considered", 360 degrees, May 30, 2022, <https://360stepeni.mk/kacarska-sostojbata-vo-ustaven-e-seriozna-dodeka-ne-se-popolni-brojot-na-sudii-nema-da-se-razgleduvaat-vazni-predmeti/>.

331 "Announcement after the working meeting of the president of the court Dobrila Kacarska with the president of the state Stevo Pendarovski, the president of the government Dimitar Kovacevski and the president of the assembly Talat Xhaferi", official website of the Constitutional Court of the Republic of North Macedonia, May 30, 2022, <http://ustavensud.mk/?p=22303>.

332 "The Constitutional Court with its 'hands tied', for the first time, did not make a single decision", Fokus, April 13, 2022, <https://fokus.mk/ustavniot-sud-so-vrzani-ratse-za-prv-pat-ne-donese-nitu-edna-odluka/>.

333 "Announcement after the working meeting of the president of the court Dobrila Kacarska with the president of the state Stevo Pendarovski, the president of the government Dimitar Kovacevski and the president of the assembly Talat Xhaferi", official website of the Constitutional Court of the Republic of North Macedonia, May 30, 2022, <http://ustavensud.mk/?p=22303>.

on Elections and Appointments finally started the procedure for the election of new constitutional judges, placing the issue of proposals for the election of judges on the agenda of the session.³³⁴ For four seats at the Constitutional Court, MPs proposed nine candidates.³³⁵ Until September 2022, the members of the Committee supported two of the proposed nine candidates - Fatmir Skender³³⁶ and Tatjana Vasic Bozadziewa.³³⁷

To increase the efficiency of the judiciary and the public prosecutor's office, improvement and/or provision of premises is evidently necessary. Most of the court buildings are functional, but they need reconstruction and rehabilitation of the infrastructure and sufficient premises, and defects of course need to be repaired.³³⁸ In addition, capacities of courts' premises in courthouses are limited due to other state institutions that are located and use the premises of the courthouse.³³⁹ This primarily applies to some public prosecutor's offices, which still function in court buildings.³⁴⁰ The improvement of premises for the work of public prosecutor's offices is of essential importance for the performance of their functions, and especially of the Tetovo Basic Public Prosecutor's Office, where the premises where this Public Prosecutor's Office are not sufficient.³⁴¹ On the other hand, almost all courts lack parking spaces, not only for parties but also for employees, energy efficiency of buildings, courtrooms and accessible ramps for people with disabilities.³⁴²

In the reporting period, the Government finally provided adequate premises for the Administrative Court.³⁴³ The new building of the Administrative Court opened was opened for use in July 2022, and it was provided two years after the new Law on Administrative Disputes came into force.³⁴⁴ At the premises of this Court, a media centre of the Court

334 "The election of constitutional judges is on the agenda of the Elections and Appointments Commission today - almost a year after the court has a reduced number of judges", 360 degrees, June 2, 2022, <https://360stepeni.mk/izborot-na-ustavni-sudii-deneska-e-na-dneven-red-na-komisijata-za-izbori-i-imenuvana-rechisi-edna-godina-otkako-sudot-e-so-namalen-broj-na-sudii/>.

335 The government proposed the public prosecutor Ljubomir Joveski, the civil judge in the Appellate Court in Skopje, Fatmir Skender, and the state adviser for civil legislation in the Ministry of Justice, Tatjana Vasic Bozadziewa, as constitutional judges. The opposition VMRO-DPMNE, on the other hand, proposed as constitutional judges the university professors Savo Klimovski and Rodna Živkovska, the Stip prosecutor Todor Vitlarov, the judge from the Administrative Court, Vesna Jovanovska, and the former president of the Basic Court of Gostivar, Branko Sekulovski. "Proposals for new constitutional judges", 24 Vesti, May 13, 2022, <https://24.mk/details/predlozi-za-novi-ustavni-sudii>.

336 "The committee hearing continues in the Parliament for the election of constitutional judges, so far only Fatmir Skender has been accepted", Nova TV, June 9, 2022, <https://novatv.mk/prodolzhuva-komisiska-rasprava-vo-sobranieto-za-izbor-na-ustavni-sudii-dosega-prifaten-samo-fatmir-skender/>.

337 "The session for the election of constitutional judges continued with an argument over the rules of procedure", Nova Macedonia, September 19, 2022, <https://novamakedonija.com.mk/makedonija/sednicata-za-izbor-na-ustavni-sudii-prodolzhi-so-raspravija-okolu-delovnikot/>.

338 Center for Legal Research and Analysis, "Plan to Improve Work and Conditions in Basic Courts", November 18 2021, <https://bit.ly/3hefcef>.

339 Ibid

340 Ana Pavlovska-Daneva, "Results and inconsistencies in the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, September 20, 2021, <https://epi.org.mk/post/19961>.

341 The Public Prosecutor's Office of the Republic of North Macedonia, "Report on the work of the public prosecutor's offices of the Republic of North Macedonia in 2021", June 2022, <https://bit.ly/3E0kkM7>.

342 Ana Pavlovska-Daneva, "Results and inconsistencies in the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, September 20, 2021, <https://epi.org.mk/post/19961>.

343 "Tupanceski: The new building of the Administrative Court will provide better conditions for conducting court proceedings", official website of the Government of the Republic of North Macedonia, July 6, 2022, <https://vlada.mk/node/29514>.

344 Law on administrative disputes, "Official Gazette of the Republic of North Macedonia", no. 96/2019.

was established, with the aim of improving the capabilities of the Court, to facilitate the work of journalists and increase the transparency and application of fair trial standards.³⁴⁵

In order to consistently implement the digitalization plan at the judiciary and the interoperability process, which are expected to contribute to greater efficiency, both of the judiciary and of public prosecutor's offices, it is necessary to improve the IT³⁴⁶ capacities of the judiciary and of public prosecutor's offices. The weak capacity of the servers and the absence of digital databases on the movement of cases (ACCMIS) and audio recordings (FEMIDA) are still present in the judiciary.³⁴⁷ The computer equipment is outdated, and there is also a lack of a system for electronic delivery of documents.³⁴⁸ In addition, the electronic links of courts are still non-functional, except for registered lawyers, notaries, bailiffs and litigants who communicate via e-mails.³⁴⁹ In this context, it is necessary to adopt legal regulation for the electronic operation of courts, because legal regulations that govern electronic management and electronic services do not cover courts, i.e., they regulate only administrative services.³⁵⁰ On the other hand, at the public prosecutor's office, in 2021, several public procurements were completed, which created conditions for each public prosecutor to work with his/her own computer and printer.³⁵¹ Accordingly, each public prosecutor's office has a scanner for the electronic system for keeping registers and a scanner for fast delivery of documents electronically.³⁵² However, it is necessary to replace the outdated IT equipment at the majority of the Public Prosecutor's Offices.³⁵³

In order to consistently implement the digitization plan, it is necessary that the new 2023-2027 Justice Sector Reform Strategy foresee short-term steps for the establishment of a functional center for information and communication technology, analytics and statistics at the JCRNM, by which the process of keeping harmonized statistics and processing of all relevant data resulting from the work of the courts will begin.³⁵⁴ Thus

345 "The Administrative Court got a new building in the centre of Skopje", Observer, July 6, 2022, <https://opserver.mk/makedonija/upravniot-sud-dobi-nova-zgrada-vo-centarot-na-skopje/>.

346 Institute for European Policy - Skopje, "Digital judiciary - a new era of reform of the Macedonian justice system", September 7, 2021, <https://epi.org.mk/post/18200>.

347 Center for Legal Research and Analysis, "Plan to Improve Work and Conditions in Basic Courts," November 18 2021, <https://bit.ly/3hefcef>.

348 Ibid

349 Ibid

350 Ibid

351 The Public Prosecutor's Office of the Republic of North Macedonia, "Report on the work of the public prosecutor's offices of the Republic of North Macedonia in 2021", June 2022, <https://bit.ly/3E0kkM7>.

352 Ibid

353 Ibid

354 According to the Law on the Judicial Council, the Centre is responsible for keeping the database for electronic files of judges, candidate lists for the election of judges and presidents of courts, evaluation of judges and presidents of courts and the database for financial and material operations of individual users of the court budget. In addition, the centre is responsible for keeping a replicated database for the Court Information System, which is located in the Supreme Court of the RNM and is used in accordance with the provisions of this law. Also, the Centre coordinates the activities of other informatics centres in the judiciary in order to improve the software and hardware solutions in the judiciary. Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2noxB>.

far, the JCRNM has provided only premises, through the development of one part of the building in which it works.³⁵⁵ As of the 2022 budget, no funds have been provided for these capital investments under the judicial budget.³⁵⁶

For an efficient judiciary, updated Court Rules of Procedure are also needed, which will consistently respond to the needs of the judiciary in a given period.³⁵⁷ The judiciary still operates according to the Court Rules of Procedure adopted in 2013.³⁵⁸ In the past period, the Ministry of Justice, within its competences, established a working group for the preparation of new Court Rules of Procedure, which prepared a draft text.³⁵⁹ However, the draft text of the new Court Register has not yet been finalized, as it directly depends on provisions in several procedural laws, the amendments of which are underway.³⁶⁰ Namely, certain provisions, especially in the area of digitization of the judiciary, are expected to be set forth in the Court Rules of Procedure after the adoption of the Law on Criminal Procedure³⁶¹ and in the Law on Civil Procedure.³⁶² The provisions of the Court Rules of Procedure are applied in all courts in the Republic of North Macedonia, except for separate issues regulated by special regulations or the Rules of Procedure of the SCRNM.³⁶³ In this respect, in December 2021, the SCRNM adopted new Rules of Procedure,³⁶⁴ which replaced the Rules of Procedure of 1998.³⁶⁵ With the new Rules of Procedure, the SCRNM established a new *modus operandi* and organizational set up.³⁶⁶

The key to improving human resources, as well as to improving the premises and technical working conditions, on which the efficiency of the judiciary and the public prosecutor's office directly depends, is appropriate funding, elaborated in detail in the

355 "Technical acceptance of a new office space for the Centre for Information and Communication Technology, Analytics and Statistics", official website of the Judicial Council of the Republic of North Macedonia, October 29, 2019, <https://bit.ly/3WA72Nh>.

356 "Work program of the Judicial Budget Council for 2022", official website of the Judicial Council of the Republic of North Macedonia, <https://bit.ly/3haukJA>.

357 Co. The court rules regulate the internal organization of the courts; the manner of operation of the courts; keeping records of the subjects; keeping registers and other auxiliary books and record books; dealing with files, forms, work on international legal assistance and dealing with petitions and motions, summoning and deployment of lay judges; the placement of permanent court translators, interpreters and experts; keeping statistics and records and professional development of staff; public relations rules; the special markings of court vehicles; the information system in the courts; audio-visual recording of hearings, as well as other matters of importance for the work of the courts.

358 "Court Rules of Procedure", "Official Gazette of the Republic of Macedonia", no. 66/2013; "Rules for amending and supplementing the Court Rules of Procedure", "Official Gazette of the Republic of Macedonia", no. 114/2014.

359 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2nox8>.

360 Ibid

361 "Proposed Law on Criminal Procedure", Electronic National Register of Regulations of the Republic of North Macedonia - ENER, November 20 2018, <https://bit.ly/3UaJ2lh>.

362 "Proposed Law on Civil Procedure", Electronic National Register of Regulations of the Republic of North Macedonia - ENER, https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=58350.

363 Rules of Court, Article 2.

364 "Rules of procedure of the Supreme Court of the Republic of North Macedonia", "Official Gazette of the Republic of North Macedonia", no. 14/2022.

365 "The Supreme Court adopted the new Rules of Procedure", Academic, December 29 2021, <https://akademik.mk/vrhovniot-sud-go-usvoi-noviot-de-lovnik-za-rabota/>.

366 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2nox8>.

Independence of the Judiciary Section of this Report. Namely, in 2021, funds in the amount of MKD 2,105,398 were approved for the judiciary,³⁶⁷ and in 2022, according to the budget proposal of the Republic of North Macedonia, MKD 2,318,156 were approved for 2022,³⁶⁸ which represents 60% less from the legally determined limit.³⁶⁹ As regards the public prosecutor's office, from the necessary funds in the amount of MKD 972,008.00 for the work of the prosecutor's offices for 2021, as much as was requested in the budget proposal, together with the restructuring of the Budget, a total of funds in the amount of MKD 571,416 were approved or 58.79%,³⁷⁰ which is not sufficient for prosecutors' offices to perform their duties smoothly. According to the budget proposal of the Republic of North Macedonia, MKD 662,332 were approved for 2022.³⁷¹ With the lack of sufficient financial resources allocated to public prosecutor's offices, the confidentiality of the investigation is also damaged, as prosecutors are obliged to turn to the executive authority for additional funds for expert witnesses when conducting investigations of capital criminal cases.³⁷²

367 State Audit Office, "Final report on the compliance audit of the basic budget of the Republic of North Macedonia for 2021", 2022, https://dzt.mk/sites/default/files/2022-09/01_Osnoven_budzet_RNM_KOMPLET_2021_0.pdf.

368 Ministry of Finance, "Proposal budget of the Republic of North Macedonia for 2022", <https://bit.ly/3WATG31>.

369 State Audit Office, "Final report on the compliance audit of the basic budget of the Republic of North Macedonia for 2021", 2022, https://dzt.mk/sites/default/files/2022-09/01_Osnoven_budzet_RNM_KOMPLET_2021_0.pdf.

370 Public Prosecutor's Office of the Republic of North Macedonia, "Report on the work of the public prosecutor's offices of the Republic of North Macedonia in 2021", June 2022, <https://bit.ly/3E0kkM7>.

371 Ministry of Finance, "Proposal budget of the Republic of North Macedonia for 2022".

372 European Policy Institute - Skopje, "Policy Dialogue 'Implementation of the Justice Sector Reform Strategy 2017-2022 with Action Plan - Where are we and what next?"; September 15, 2021, <https://epi.org.mk/post/17822>.

The efficiency of courts in 2021 was improved compared to 2020. However, the trend of incompatibility of data on the workload of courts from the Ministry of Justice with data of the Judicial Council continued. Therefore, it is necessary to establish a mechanism for keeping unique and absolutely accurate statistics on the workload of the courts, in order to perform accurate analysis and take appropriate actions to overcome the backlog of cases of courts.

In 2021, the public prosecutor's offices acted efficiently and professionally, managing to overcome the influx of new criminal charges and reduce the number of pending cases, despite the lack of staff.

Increasing the efficiency of the judiciary and of the public prosecution requires more financial resources, an increase in human resources, as well as improvement of premises and of technical conditions for work.

It is necessary for the Council of Public Prosecutors to establish a methodology using which it will determine the exact number of public prosecutors required in a public prosecutor's office, as well as to determine the need for professional associates in order to ensure proper functioning of the public prosecutor's service.

It is necessary to adopt legal regulations for the electronic work of the courts, because the legal regulations that govern electronic management and electronic services do not cover the courts, i.e., it regulates only administrative services. It is also necessary to replace the dilapidated IT equipment in the majority of the Public Prosecutor's Offices.

Furthermore, it is necessary to foresee short-term steps for the establishment of a functional center for information and communication technology, analytics and statistics at the Judicial Council, which will start the process of collecting harmonized statistics and processing of all relevant data resulting from the work of courts.

For an efficient judiciary, an updated Court Rules of Procedure are also needed, which will consistently respond to the needs of the judiciary in a given period.



2. Fight against Corruption



North Macedonia is ranked 87th in the world with 39 index points, while the previous year the country was ranked 111th with 35 index points according to Transparency International's latest Corruption Perception Index.³⁷³ Prosecution of high-profile corruption cases and strengthened oversight bodies are seen as essential to North Macedonia's progress and improving its ranking.³⁷⁴

According to the assessment of Freedom House (2/4)³⁷⁵, the concern from last year remains regarding the efficiency and independence of the judiciary and the fight against corruption. According to the Freedom House Report (2/4),³⁷⁶ North Macedonia is still struggling with the fight against corruption and clientelism, while impunity for corrupt government officials, including members of Parliament and the judiciary, is a particularly concerning problem.

In last year's Report of the European Commission on North Macedonia, progress was noted in the fight against corruption and conflict of interests in the country, but it is also emphasized that it is necessary to strengthen the institutional capacities of the Public Prosecutor's Office of the Republic of North Macedonia (PPORNM), the investigative centres and units investigating corruption. In addition, sectors most susceptible to corruption should undergo a risk assessment and appropriate actions. The key recommendations are to increase the support to the state institutions that implement the National Strategy for Fight against Corruption and Conflict of interest and to effectively implement the GRECO recommendations, to allocate sufficient resources to the BPPOCC, including financial experts, in order to ensure effective accountability for high-level corruption cases and to continue to increase the number of final convictions in high-level corruption cases.³⁷⁷

The position of Deputy Prime Minister in charge of fighting corruption and crime, sustainable development and human resources, which was appointed for the first time in September 2020, changed its title in this reporting period, so with the reshuffling of the Government in mid-January of this year, it was appointed as the Deputy Prime Minister in charge of policies and good governance.³⁷⁸ At the beginning of July, upon the proposal of the Deputy Prime Minister, the Information on establishing ethical behaviour for members of the Government and holders of public offices appointed by

373 Transparency International, *Corruption Perceptions Index 2021*, 2021 Corruption Perceptions Index – Explore the... – Transparency.org .

374 Ibid

375 Freedom House, "Freedom in the World 2022 - North Macedonia", 2022, <https://freedomhouse.org/country/north-macedonia/freedom-world/2022>>.

376 Ibid

377 European Commission, "COMMISSION STAFF WORKING DOCUMENT – North Macedonia 2022 Report", October 12 2022, https://neighbourhood-enlargement.ec.europa.eu/north-macedonia-report-2022_en.

378 "Nikolovski handed over the post of Deputy Prime Minister of Greece", official website of the Government of the Republic of North Macedonia , January 17, 2022, <https://vlada.mk/node/27401>.

the Government was adopted with the Code of Ethical Behaviour of Members of the Government and holders of public offices appointed by the Government. The amendments to the Code are the result of observations and recommendations of the Group of States against Corruption of the Council of Europe (GRECO), and refer to the improvement of the Government's commitment to the ethical behaviour of the members of the Government and other public officials, who are obliged to work in the interest of the citizens of the country.³⁷⁹

The plan for fight against corruption for 2022 relies on four key pillars: digitalization, independent and efficient judiciary, professionalization of institutions and preventive measures to fight against corruption.³⁸⁰

GRECO adopted the Addendum to GRECO's Second Report on Compliance of the Republic of North Macedonia under the Fourth Evaluation Round and it was concluded that North Macedonia had achieved some progress in implementing the recommendations contained in the Report from the Fourth Evaluation Round - out of a total of nineteen recommendations, nine are implemented satisfactorily, nine are partially implemented, and only one recommendation has not been implemented.³⁸¹

379 "The Information on determining ethical behaviour for members of the Government and holders of appointed public positions was adopted", Kurir, July 5, 2022, <https://bit.ly/3hGukRL>.

380 Ibid

381 "GRECO Report: 'Out of 19 recommendations, 9 have been implemented satisfactorily, 9 have been partially implemented, and only 1 has not been implemented,'" official website of the Ministry of Justice, July 4, 2022, <https://pravda.gov.mk/vest/6381>.

INSTITUTIONAL FRAMEWORK

State Commission for the Prevention of Corruption

In 2021, the State Commission for the Prevention of Corruption and Conflict of Interest (SCPCCI) received 720 reports from citizens with suspicions of the existence of corrupt behaviour, abuse of public office, the existence of a conflict of interest, then it opened 84 cases on its own initiative and led 710 misdemeanour proceedings for untimely submission of statements on property status and conflict of interests. In the area of corruption, it adopted decisions in 390 cases, in the area of conflict of interest, it adopted decisions in 152 cases, in the area of disobeying bans during the election process, it decided in 41 cases, in the area of checking the data from the survey lists, it decided on 92 reports, and issued 85 opinions on requests for potential conflict of interest (675 decisions in total).³⁸²

In April 2022, the SCPCCI published its Annual Report on the implementation of the National Strategy for the Prevention of Corruption and Conflict of Interest for 2021, concluding that only 20% of all activities planned for 2021 were fully implemented, 27% are in the process of implementation, and 53% have not been implemented at all, while the largest implementation of activities is in the justice sector (78%), followed by the media and civil society sector (67%), the horizontal area of public procurement (33%) and the education sector (22%).³⁸³

Last year's EC Report on North Macedonia shows progress in the fight against corruption and the conflict of interests in the country. The positive assessment is based on an increased proactive approach of the SCPCCI, in several segments, such as the opening of a large number of cases, including those for persons in high positions in state institutions, giving guidelines to state institutions, and the importance of strengthening the professional capacity of the SCPCCI (new premises and seven new professionals employed in the past year).³⁸⁴

In accordance with the legal mandate defined in the Law on Prevention of Corruption and Conflict of Interest, the SCPCCI signed the Integrity Policy, which should motivate other institutions to get involved in anti-corruption policies, and launched a pilot program for mentoring of five institutions – the Ministry of Information Society and Administration, the State Audit Office, the Inspection Council, the Agency for the Pro-

382 State Commission for the Prevention of Corruption, "Annual report on the work of the State Commission for the Prevention of Corruption for 2021", March 2022, <https://dsk.mk/wp-content/uploads/2022/03/%D0%93% D0%98-2021-final.pdf>.

383 State Commission for the Prevention of Corruption, "Annual report on the implementation of the National Strategy for the Prevention of Corruption and the Conflict of Interest, scheduled for implementation in 2021", March 2022, <https://bit.ly/3gdvxQk>.

384 "The EC states progress in the fight against corruption SCPC – with greater inter-institutional cooperation we can achieve greater results", official website of the State Commission for the Prevention of Corruption and Conflict of Interest, October 25, 2021, <https://bit.ly/3GgvlRF>.

tection of the Right to Free Access to Information of Public Character and the State Commission for the Prevention of Corruption.³⁸⁵

At the beginning of 2022, on its own initiative, the SCPCCI opened three cases against the public prosecutor of Gostivar.³⁸⁶ In addition, at the session held on 15 February 2022, the SCPCCI stated that it will analyse the awarding of sports vouchers and requested the Public Prosecutor's Office to institute criminal proceedings against former and current mayors.³⁸⁷

The SCPCCI has raised an initiative to submit a criminal charges with the Public Prosecutor's Office against two former Secretaries General of the Government, for abuse of office by concluding short term contracts copyright agreements with persons outside the Government for the payment of compensation for which the budget foreseen for five years was spent in the period between 2019 and the beginning of 2022.³⁸⁸

In mid-August 2022, the SCPCCI published the Second Quarterly Report on the implementation of the recommendations under the assessment of vulnerability to corruption of state institutions and the local government in the area of spatial planning, urban planning and construction.³⁸⁹

In the same month, the training centre was opened within the framework of the SCPCCI, which ensures undertaking activities for education of the authorities responsible for detecting and prosecuting corruption and other types of crime. Namely, the training centre will ensure the strengthening of awareness and knowledge in the fight against corruption for employees of the central and local government institutions, as well as the general public. For the smooth functioning of this training centre, a training program has been developed for fight against corruption, conflict of interest and integrity, as well as a training program for trainers for the SCPCCI team.³⁹⁰

In July 2022, the SCPCCI concluded a Memorandum of Cooperation with the National Bank of the Republic of North Macedonia.³⁹¹

385 "SCPC, as a leader in the integrity system, signed the Integrity Policy", official website of the State Commission for the Prevention of Corruption, February 11, 2022, <https://bit.ly/3NAuJBi>.

386 "The anti-corruption commission has three open cases against Gostivar prosecutor Arsim Ademi", Telma TV, March 14, 2022, <https://bit.ly/3v0shig>.

387 "SCPC will analyze the awarding of sports vouchers, demands that the PSO initiate criminal proceedings against former and current mayors", Civil media, February 15, 2022, <https://bit.ly/3KhKKcl>. "Palermo Affair: When will senior officials show evidence that they paid for it themselves?", 24 Vesti, March 26, 2022, <https://bit.ly/3U0zqSz>.

388 "The Anti-Corruption Commission submitted an initiative to the Public Prosecutor's Office for criminal prosecution of Zeqiri and Rashkovski", 360 degrees, June 1, 2022, <https://360stepeni.mk/antikoruptionska-podnese-initsijativa-dojzo-za-krivichno-gonene-na-zekiri-rashkovski/>.

389 Transparency International, "Second quarterly report on the implementation of recommendations from the assessment of vulnerability to corruption in state institutions and local government in the field of spatial planning, urbanism and construction", August 18, 2022, <https://bit.ly/3fzZ8c>.

390 "For a society without corruption and institutions with strong integrity, continuous education and full commitment of each of us is needed", official website of the State Commission for the Prevention of Corruption and Conflict of Interest, August 22, 2022, <https://bit.ly/3h4n7e6>.

391 "Concluded Memorandum of Cooperation between the State Commission for the Prevention of Corruption and the National Bank of the Republic of North Macedonia", official website of the State Commission for the Prevention of Corruption and Conflict of Interest, July 18, 2022, <https://bit.ly/3DUqVHL>.

Public Prosecution

The latest report on the work of the public prosecutor's offices points to the fact that the insufficient staffing of the public prosecutor's offices affects the efficiency and activities of some of the public prosecutor's offices, especially the work of the Public Prosecutor's Office against Organized Crime and Corruption. Namely, at the Basic Public Prosecutor's Office against Organized Crime and Corruption, where at the end of the year, criminal charges against 247 persons, or 35.6%, remained pending, the situation is due to insufficient staffing of public prosecutors and expert services, as well as insufficient technical equipment, which is needed for the efficient and timely execution of the function of criminal prosecution, considering the structure of the crimes that are under the mandate of this public prosecutor's office, which are carried out in an organized group, for which it is necessary to implement extensive and complex preliminary investigations and investigative procedures, and in a number of cases it is necessary to apply special investigation measures.³⁹²

Four investigative centres have been established at the Public Prosecutor's Office thus far, namely at the Basic Public Prosecutor's Office against Organized Crime and Corruption, the Skopje Basic Public Prosecutor's Office, the Tetovo Basic Public Prosecutor's Office and the Kumanovo Basic Public Prosecutor's Office, so it can be concluded that there has been no progress in establishing investigation centres at public prosecutor's offices from 2018 until now.³⁹³ It is also important to point out that in order to strengthen the capacities of the already established investigative centres, their re-equipment is necessary.³⁹⁴

In the reporting period, the Rulebook on the method of distribution of cases at public prosecutor's offices through the system for electronic distribution of cases was published.³⁹⁵

Three days after the publication of the documentary film "Swiss Secrets" by the Investigative Reporter Laboratory,³⁹⁶ the Basic Public Prosecutor's Office against Organized Crime and Corruption (BPPOCC) opened a preliminary investigation procedure regarding the accounts of two businessmen from North Macedonia (one of whom is a former Deputy Prime Minister) and a Swedish investor. In particular, the published documentary film contains information according to which the two Macedonian busi-

392 The Public Prosecutor's Office of the Republic of North Macedonia, "Report on the work of the public prosecutor's offices of the Republic of North Macedonia in 2021", June 2022, <https://bit.ly/3E0kkM7>.

393 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2nox8>.

394 Ibid

395 "Official Gazette of the Republic of North Macedonia", no. 31/2022.

396 https://www.youtube.com/watch?v=CH1wJ_15RUw&t=17s

nessmen have private accounts in Switzerland and have carried out multi-million dollar transactions using these accounts.³⁹⁷

Regarding cases taken over from by the former Special Public Prosecutor's Office (SPO) and the efficiency of criminal proceedings, there was a breakthrough in the "Toplik" and "Titanic" cases. In particular, the guilty pleas of eight members of the group tried in the Titanic case³⁹⁸ were followed by convictions.³⁹⁹ The court proceedings against the former Prime Minister, Nikola Gruevski and other indicted persons who have not pleaded guilty, continue.⁴⁰⁰ Furthermore, extradition is again requested for Gruevski, i.e., he is to be returned to the country, where three prison sentences await him, two final and one first instance judgement, as well as pending court proceedings. The former Prime Minister was legally sentenced to one and a half years in prison for the "Violence in the Centar" case, two years in prison for the "Tank" case for the purchase of the luxury Government "Mercedes" and in the first instance sentenced to nine years in prison in the "TNT" case about the collapse of "Cosmos".⁴⁰¹

The main hearing in the "Toplik" case was held on 16 February 2022, at which⁴⁰² the prosecutor, according to the evidence presented in his closing statement at the hearing, requested the former Minister of Transport and Communications and five other former members of the Public Procurement Commission at the same Ministry to be sentenced to prison.⁴⁰³

In March 2022, the Chief Prosecutor of the Republic of North Macedonia and the Chief State Auditor signed a Memorandum to strengthen institutional communication.⁴⁰⁴

In March 2022, more than a year after the first-instance verdict was passed, the trial began at the Skopje Appellate Court for the case of mass-scale wiretapping "Target-Tvrđina".⁴⁰⁵

In the reporting period, progress was noted in the efficiency of criminal proceedings in several cases of high-profile corruption and abuse of official duties by high-ranking state officials. In March 2022, the following steps were taken in the following two

397 "The prosecutor's office opened a pre-investigation procedure for the accounts of Yordanov, Mekhandziski and Kling", nezavisen.mk, February 23, 2022, <https://bit.ly/3Km99xN>.

398 "Who will sink the 'Titanic': Janakieski, Jankuloska and Protogjer plead guilty to election abuses", Deutsche Welle, 11 Feb. 2022, <http://bitly.ws/vVWWh>.

399 "'Titanic' verdict: Janakieski sentenced to 4.5 years, Jankuloska to 2.5 years in prison", Deutsche Welle, 28 Feb. 2022, <http://bitly.ws/vVWWh>.

400 Ibid

401 "Gruevski faces 12 and a half years in prison and another request for extradition", mkd.mk, September 12, 2022, <<https://www.mkd.mk/makedonija/sudstvo/gruevski-go-chekaat-12-i-pol-godini-zatvor-i-ushte-edno-baranje-za-ekstradicija>>.

402 "The 'Toplik' case before a court resolution", TV 24, February 16, 2022, <https://bit.ly/3r8bSn3>.

403 Ibid

404 Akademik.mk, "Strengthening of institutional communication between the Public Prosecutor's Office and the State Audit Office", March 10, 2022, <https://bit.ly/3NR1kSZ>.

405 "A public hearing on the verdict on mass wiretapping is underway in Appeal", 360 Degrees, March 2022, <https://bit.ly/3DN7TB8>.

high-profile cases: in the “Software” case,⁴⁰⁶ there were opening arguments,⁴⁰⁷ while in the “International Union” case,⁴⁰⁸ closing arguments were given.⁴⁰⁹ The SCRNM upheld the prison sentence for the first defendants in the “Racket” case, where the former special public prosecutor was sentenced to seven years in prison and the television personality was sentenced to nine years in prison.⁴¹⁰ In addition, the former Minister of Transport and Communications, as the first defendant in the “Toplik” case, was found guilty by the Skopje First Instance Criminal Court and was sentenced to three and a half years in prison.⁴¹¹ In the same case, the President of the Public Procurement Commission was sentenced to three years in prison, while the other defendants, members of the Commission, received suspended prison sentences of two years.⁴¹² In addition, the Skopje First Instance Criminal Court found the former Prime Minister and the former Secretary General of the Government guilty of abuse of office and authority in the “Talir 2” case, where the former was sentenced to six years in prison, and the latter received a suspended sentence.⁴¹³ In the reporting period, the trial on the “Software” case continued, where the first accused is the former Secretary General of the Government, i.e. the court proceedings are in the evidentiary stage, by which a series of testimonies were heard on cases in which the former Minister is charged - the procurement of the software for traffic violations⁴¹⁴ and the procurement of the software for biometric identification.⁴¹⁵

Regarding the “Palermo” affair, which caused reactions in the public, in a statement to the media, the Minister of Justice admitted that he only paid for accommodation and that he did not pay for a ticket or a charter flight, nor an entrance fee for the football match between Italy and North Macedonia.⁴¹⁶ The Public Prosecutor’s Office stated that until there is an official letter from the Government, it will not work on the case, because thus far no suspicion of a committed crime has been established, but rather a

406 Sloboden Pечат, “Opening remarks in the ‘Software’ case”, March 14, 2022, <https://bit.ly/3ugl2i0>.

407 The former general secretary of the government Rashkovski emphasizes that he does not feel guilty, while the prosecutor Ruskoska claims that she will prove that he abused his duty for personal enrichment.

408 “The defendant Bojan Jovanovski emphasizes that he does not feel guilty.”

409 “Final words of Bojan Jovanovski in the ‘International Union’ case”, Telma TV, March 18, 2022, <https://bit.ly/36Uu01S>.

410 “The Supreme Court confirmed the prison sentences of Katica Janeva and Bojan Jovanovski for ‘Racket’”, A1 On, June 1, 2022, <https://a1on.mk/macedonia/i-vrhoven-im-gi-potvr-di-zatvorskite-kazni-na-katica-janeva-i-bojan-jovanovski-za-reket/>.

411 “Three and a half years in prison for Janakieski in ‘Toplik’”, 360 degrees, April 5, 2022, <https://360stepeni.mk/tri-i-pol-godini-zatvor-za-janakieski-vo-toplik/>.

412 Ibid

413 “6 years in prison for Gruevski for the construction of the headquarters of VMRO-DPMNE, conditional for Bojinovski”, MKD, June 8, 2022, <https://www.mkd.mk/makedonija/sudstvo/presuda-za-talir-2>.

414 “Software trial: Expert testified that Rashkovski’s software was not functional”, 360 degrees, September 21, 2022, <https://360stepeni.mk/sudene-za-sof-veri-veshtak-svedocheshe-deka-sof-verot-na-rashkovski-ne-bil-funktsionalen/>.

415 “APDP sent an indication to Rashkovski before acquiring the biometric identification software”, 360 degrees, September 28, 2022, <https://360stepeni.mk/dz-lp-mu-pratila-ukazhuvane-na-rashkovski-pred-da-go-nabavi-sof-verot-za-biometrika-identifikatsija/>.

416 “Tupanceski admitted that he did not pay for the charter flight and tickets for the VIP tribune”, A1 On, April 5, 2022, <https://bit.ly/3GkRS97>.

violation of the ethical code of the Government, judges and prosecutors.⁴¹⁷ The SCPCCI also stated that they will not submit an initiative for the time being, but that they will carefully monitor the case.⁴¹⁸ According to the above stated, the Deputy Prime Minister for Economic Policies and Good Governance, based on information and data provided by the Minister of Justice, sent a written warning to the Minister of Justice for violation of Articles 12 and 17 of the Code of Ethics of the Members of the Government,⁴¹⁹ i.e., for a clash of public and private interest and receiving a gift – contrary to the Code.⁴²⁰ In addition, the Judicial Council, which examined whether the Code of Ethics⁴²¹ was violated by the President of the Kavadarci First Instance Court, determined that there was no conflict of interest.⁴²²

The Public Prosecutor's Office withdrew part of the charges against abuse of official position and powers against the former Minister of Transport and Communications in the "TNT" case, which refers to the illegal demolition of the "Cosmos" facility in Gazi Baba in 2011.⁴²³ The BPPO emphasized that the evidence presented that far did not show that the indicted person committed the crime of abuse of the tender for the demolition of the building.⁴²⁴ In the first-instance judgement, the defendant was sentenced to three years in prison.⁴²⁵

The BPPOCC issued an order to conduct an investigative procedure against the former Secretary General in the Government for abuse of official position and powers to the detriment of the budget of North Macedonia. The investigative procedure is ongoing.⁴²⁶ The investigation into the former Secretary General of the Government could be expanded, because during the presentation of evidence, written documentation was found indicating that the indicted person committed another crime of abuse of official position and authority, which is why the Skopje Appellate Court decided that it would

417 "The prosecution is waiting for the Anti-Corruption Commission for the 'Palermo' case", 24 Vesti, April 2, 2022, <https://24.mk/details/obvinitelstvoto-ja-cheka-antikorupciska-komisija-za-sluhajot-palermo>.

418 Ibid

419 „Code of Ethical Behaviour of Government members and holders of public offices appointed by the Government”, Government of the Republic of North Macedonia, 22 September 2020, <https://bit.ly/3gUeqTq>.

420 "Written reprimand for Minister Tupanchevski, he violated the government code of ethics", 24 Vesti, April 6, 2022, <https://24.mk/details/pismena-opomena-za-ministerot-tupanchevski-go-prekrshil-vladaniot-etichki-kodeks>.

421 "Code of ethics for judges and court jurors", Supreme Court of the Republic of North Macedonia, September 2019, <http://bitly.ws/vWX4>.

422 "Tupanchevski admitted that he did not pay for the charter flight and tickets for the VIP tribune", A1 On, April 5, 2022, <https://bit.ly/3GkRS97>.

423 "TNT: The prosecutor asked for prison sentences for Gruevski and the other defendants, for Janakieski he withdrew part of the charge", 360 degrees, April 27, 2022, <https://bit.ly/3sSK5Y8>.

424 Ibid

425 "The remaining charges remain against the former Prime Minister Nikola Gruevski as the first accused, the former mayor of Gazi Baba, Tony Trajkovski, Elizabeta Najdovska, then employed as a construction inspector in the municipality, as well as against three officials from the municipality of Gazi Baba. For this, the first defendant was sentenced to nine years in prison by the Skopje Criminal Court, and the remaining named defendants were sentenced to four years in prison. "Nine years in prison for Gruevski and three for Janakieski, sentenced in the TNT case", Nova Macedonia, May 20, 2022, <https://www.novamakedonija.com.mk/featured/devet-godini-zatvor-za-gruevski-za-tnt/>.

426 "Zeqiri remains in detention – Appeal rejected the appeal", 360 degrees, May 31, 2022, <https://360stepeni.mk/zekiri-ostanuva-vo-pritvor-apelatsija-ja-odbi-zhalbata/>.

be necessary that the investigation be extended to that crime.⁴²⁷ In August 2022, the Prosecutor's Office against Organized Crime expanded the investigation into another crime – a contract concluded with a legal entity for consulting services for the reorganization of a public company, which is suspected to have been concluded without a tender procedure.⁴²⁸

The Public Prosecutor's Office of the Republic of North Macedonia (PPORNM), acting on a complaint submitted by the Financial Police Office (FPO), carried out supervision and inspection in a case registered at the BPPOCC. In accordance with the established situation, the Public Prosecutor of the Republic of North Macedonia gave an instruction to the BOOCC, which states detected irregularities in the handling of the specific case.⁴²⁹ In response to that, the Head of the BPPOCC called on the competent institutions in the country and international institutions, as well as embassies, above all the US Embassy and the EU Delegation in the country, to check all the facts and clarify who in the country is fighting crime, and who committed the crime.⁴³⁰ The Association of Public Prosecutors strongly reacted to this open letter, noting that it damages the reputation of the public prosecutor's office and grossly violates the Code of Ethics of Public Prosecutors.⁴³¹ Then, the FPO submitted criminal charges with the Skopje Basic Public Prosecutor's Office in connection with the search conducted by the BPPOCC in the disputed case.⁴³² A week later, PPORNM announced that a proposal for disciplinary proceedings was submitted against three female prosecutors (one of them is the Head of BPPOCC, who is temporarily suspended from her position), who deliberately committed a major professional error.⁴³³ At the same time, the director of the FPO resigned from his position, stating that he made that decision in order not to leave any doubt among the public about the integrity, impartiality and independence of the procedure that continues to be conducted at the BPPOCC.⁴³⁴ The head of the BPPOCC appealed the suspension with the Council of Public Prosecutors of the Republic of North Macedonia (CPRNM),⁴³⁵ but even though the CPRNM decides on her temporary suspension, a special disciplinary commission at the CPRNM will

427 "New investigation on Zekiri for a similar crime", *vesti.mk*, July 8, 2022, <https://www.vesti.mk/article/62c85602075b2192cacefb36>.

428 "Investigation extended against former general secretary of the government Muhammed Zekiri," *Skopje 24*, August 8, 2022, <http://bitly.ws/vVXb>.

429 "Announcement from PPO: 'Acting on a complaint from the Financial Police Administration'", *Akademik*, August 1, 2022, <https://akademik.mk/soopshenie-od-jo-postapuvane-po-pretstavka-od-upravata-za-finansiska-politsija/>.

430 "Muaremi to Ruskovska: 'Crime is proven in the institutions'", *Deutsche Welle*, 4 August 2022, <https://www.dw.com/mk/muaremi-do-ruskovska-kriminal-se-dokazuva-vo-institucite/a-62704465>.

431 "Association of public prosecutors to Ruskovska: 'No public prosecutor must be considered omnipotent'", *Pravdiko*, 4 August 2022, <http://bitly.ws/vVXm>.

432 "The financial police with criminal charges against Ruskovska and the female prosecutors, Director Muaremi does not reveal for which crime", *I want to say*, August 8, 2022, <https://bit.ly/3UVuf18>.

433 "Joveski suspends Vilma Ruskovska, disciplinary proceedings against two other prosecutors", *Sloboden Pechat*, August 16, 2022, <https://bit.ly/3X0GGo9>.

434 "Muaremi is stepping down from the position of acting director of the Financial Police Office", *Fokus*, August 16, 2022, <https://fokus.mk/muaremi-se-povlekuva-od-pozitsijata-vo-direktor-na-upravata-za-finansiska-politsija>.

435 "Ruskovska appealed the decision on her suspension to the Council of Public Prosecutors", *Kanal 5*, August 19, 2022, <https://kanal5.com.mk/ruskovska-podnese-zhalba-za-odlukata-za-nejzinata-suspenzija-do-sovetot-na-javni-obviniteli/a543256>.

carry out the procedure and possibly submit a proposal for dismissal to the CPPRNM, after which, they will adopt a final decision.⁴³⁶ The CPPRNM unanimously rejected the complaint as unfounded, while the President of CPPRNM assessed that they adopted one of the most difficult decisions in their work, because it is a sensitive case, which attracts enormous public interest,⁴³⁷ while the head of the BPPOOCC replied that she has never exerted influence in any case.⁴³⁸ Following this decision, a new prosecutor was elected to the position for the duration of the suspension and until the end of the current term in November 2022.⁴³⁹ On 30 September 2022, the CPPRNM published an announcement for a new head of the BPPOOCC before the end of the term of office and on 7 November 2022, a new head will be voted on by a vote of all prosecutors in the country.⁴⁴⁰

The Struga Public Prosecutor's Office filed a complaint against a prosecutor from Ohrid, for malfeasance – intentionally prolonging cases so that the statute of limitations would be reached in more than 14 cases.⁴⁴¹ The indictment states that the former prosecutor abused his official duty by knowingly allowing that deadlines in 14 cases related to electricity theft, perjury, theft and aggravated theft to expire.⁴⁴² With his actions, the prosecutor affected the exercise of rights by the parties, by making their right to appeal impossible, and it is considered that these actions took place in the period from 2013 to 2021.⁴⁴³ The indicted former prosecutor was one of the opposition candidates for constitutional judge, who did not receive support from the Parliamentary Committee on Elections and Appointments.⁴⁴⁴

436 "The Council of Public Prosecutors will decide on the suspension of Ruskovska, but not on her dismissal", Fokus, August 18, 2022, <https://fokus.mk/sovetot-na-javni-obviniteli-ke-reshava-za-suspenzijata-na-ruskovska-no-ne-i-za-razreshuvane/>.

437 "Ruskovska appeal dismissed, suspension remains", Deutsche Welle, 24 Aug. 2022, <https://bit.ly/3NrQo3h>.

438 "Ruskovska after the confirmed suspension: 'I have not influenced any case, you can ask any prosecutor'", A1 On, August 24, 2022, <https://bit.ly/3G14j5b>.

439 "Trajche Pelivanov appointed as interim chief in place of the suspended Ruskovska", 360 degrees, August 29, 2022, <https://360stepeni.mk/trajche-pelivanov-naznachen-za-privremen-shef-na-mestoto-na-suspendiranata-ruskovska/>.

440 "Official Gazette of the Republic of North Macedonia", no. 216/2022.

441 "Prosecutor deliberately outdated 14 court cases", Alsat M, September 19, 2022, <https://alsat.mk/mk/obvinitel-namerno-zastaril-14-sudski-predmeti/>.

442 "The untried constitutional judge Voislav Dimovski received an indictment for outdated cases", Telma TV, September 19, 2022, <https://telma.com.mk/2022/09/19/nesudeniot-ustaven-sudija-voislav-dimovski-dobi-obvinenie-za-stareni-predmeti>.

443 "Prosecutor deliberately outdated 14 court cases", Alsat M, September 19, 2022, <https://alsat.mk/mk/obvinitel-namerno-zastaril-14-sudski-predmeti/>.

444 "Voislav Dimovski did not receive support for a constitutional judge from the Commission for Elections and Appointments", Nova Macedonia, September 9, 2022, <https://bit.ly/3UltKS3>.

LEGAL FRAMEWORK

The amendments to the Criminal Code (CC), for which a public debate began at the Parliament in December 2021, foresees full harmonization with the Istanbul Convention.⁴⁴⁵ It is particularly significant that the proposal implements the Istanbul Convention by sanctioning new crimes that include gender-based violence, redefining the existing ones, as well as tightening the penal policy in relation to these crimes, and also intervenes in crimes related to security of journalists, certain provisions in the sphere of confiscation and torture are changed and the CC is harmonized with Directive (EU) 2017/1371 on the fight against fraud to the Union's financial interests by means of criminal law.

In addition to these amendments that are in parliamentary procedure, the working group established at the Ministry of Justice worked in parallel on the preparation of a completely new Criminal Code. The new CC proposal was published on the ENER in July 2022.⁴⁴⁶ The preparation of the new Criminal Code aims to ensure harmonization with EU directives in the field of punishment, redefining crimes related to terrorism in accordance with international standards, and new crimes related to environmental protection will also be criminalized.⁴⁴⁷ The reasons for the drafting of a new CC are: recodification of all criminal offenses provided for by other laws, redefinition of the existing penal policy in prescribing penalties, alignment with international instruments (Istanbul Convention, the EU Directive on financial fraud and others), redefinition of crimes related to environmental protection, redefining the provisions on confiscation, improving the provisions for the safety of doctors and journalists, but also overcoming other identified shortcomings.⁴⁴⁸

The working group for drafting the Law on Amendments and Supplements to the Law on Criminal Procedure (LCP) is still working on the preparation of the text, with the last meeting of the working group held in May 2022, and it will continue its work in the next period, starting from September 2022, so a draft text should be prepared towards the end of 2022.⁴⁴⁹ The main goals to be achieved with these amendments are: harmonization with the EU directives related to the right to interpretation and translation in criminal proceedings, the right to information in criminal proceedings, the protection

445 Assembly of the Republic of North Macedonia, "Materials - Proposal for a Law on Amendments and Supplements to the Criminal Code", <https://www.sobranie.mk/materijali-parlament.nsp.x>.

446 Electronic National Register of Regulations of the Republic of North Macedonia - ENER, "Proposal of the Criminal Code", July 7, 2022, https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=74071.

447 Elena Georgievska and others, "Implementation of the Justice Sector Reform Strategy (2018-2022) in 2021: Shadow Report", March 2022, <https://myla.org.mk/wp-content/uploads/2022/05/Sproveduvanjeto-na-strategijata-za-reforma-na-pravosudniot-sektor-2018-2022-lzvestaj-vo-senka.pdf>.

448 Ardita Abazi Imeri et al., "Analysis - Comprehensive assessment of the implementation of the Justice Sector Reform Strategy 2017-2022", European Policy Institute - Skopje, November 10, 2022, <https://bit.ly/3X2nox8>.

449 Ibid

of personal data within the framework of cooperation in criminal cases, standards on rights, support and protection of victims of crimes, overcoming the uneven interpretation and uneven practical application of some provisions, more precisely defining the provisions regarding the ordering, extension and abolishment of the measure of pre-trial; detention and precisely defining the provisions on the settlement on criminal sanctions.

The Law on the Origin of Property⁴⁵⁰ is still being prepared,⁴⁵¹ and it is planned to be sent for the opinion of the Venice Commission. The Deputy Prime Minister in charge of policies and good governance announced in May 2022 that the Law will be adopted carefully because the area is sensitive and opinions should be heard on various aspects. At the same time, she did not specify when the adoption of the Law can be expected, which she announced will go through wide public debates, not being discussed only at the Parliament.⁴⁵²

At the beginning of November 2021, the ENER published the draft Law on the Asset Recovery Office. Until now, in the Republic of North Macedonia, the matter of the Asset Recovery Office was not regulated by law. Taking into account numerous international standards in this area, the need for legal regulation of this matter and incorporation of all international standards into a legal framework was imposed. This Law is intended to regulate the establishment, mandate, powers, and organizational structure of the Asset Recovery Office, responsible for undertaking activities related to finding and identifying proceeds, other property or property proceeds that resulted from or are related to a crime that may be subject to a temporary ban on disposal or confiscation, regulating as well exchange of best practices and keeping statistical data.⁴⁵³

On 15 July 2022, ENER published the draft Law on the Management of Confiscated Property, property proceeds and confiscated items in criminal and misdemeanour proceedings. The application of the previous legal solution showed certain weaknesses and legal gaps that were overcome through several amendments and additions to the Law, but a new legal text is also needed to address those weaknesses and gaps. The main proposed amendments to the Law are: terminological improvement and harmonization of the wording in the Law with the proposals for new amendments and additions to the CC and the LCP, which are in the preparation stage, terminological improvement of the

450 Iva Conevska Vangelova and Ismail Kamberi, "Shadow report on Chapter 23 for the period from April 2020 to September 2021", Skopje 2021, <https://bit.ly/3D-Q0h0x>.

451 "Ivanovska: 'The state should protect citizens in whose name politicians want to transfer property'", *Sloboden Pечат*, February 11, 2022, <https://bit.ly/3L0o448>.

452 "Grkovska: 'The law on the origin of property will be passed carefully'", *Fokus*, May 20, 2022, <https://fokus.mk/grkovska-zakonot-za-poteklo-na-ivot-ke-se-donesuva-vnimatelno/>.

453 Electronic National Register of Regulations of the Republic of North Macedonia - ENER, "Proposal of the Law on the Property Recovery Office", November 1, 2021, https://ener.gov.mk/default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=68445.

provisions of the Law and harmonization with the relevant legislation of the EU and improvement of the deadlines and the manner of working in separate procedures of the Agency for Management of Confiscated Property in accordance with the secondary legislation. The purpose of this draft Law is to overcome problems and challenges that arise in the current practice, which relate to the management of confiscated property, property proceeds and confiscated objects in criminal and misdemeanour proceedings, as well as enabling the functional operation of the Agency for the Management of Confiscated Property.⁴⁵⁴

It is crucial to follow the recommendations of the EC stated in its the annual report on the country's progress in the fight against corruption: to increase the support to the state institutions that implement the National Strategy for Fight against Corruption and Conflict of Interest and to effectively implement GRECO's recommendations, to allocate sufficient resources to the BPPOCC, including financial experts, in order to ensure effective accountability in high-level corruption cases and to continue increasing the number of final convictions in high-profile corruption cases.

It is necessary to work on an assessment of the risks of clientelism and cronyism and, according to that assessment, to amend relevant laws in the area.

The latest Report on the work of the public prosecutor's offices points to the fact that the insufficient staffing of the public prosecutor's offices affects the efficiency and activities of some of the public prosecutor's offices, which is why this problem must be resolved. At the same time, progress is needed in the establishment of new investigation centres and re-equipment of operating centres.

In the next period, it is expected to adopt the amendments to the Criminal Code, as well as the new text of the Criminal Code and the amendments to the Law on Litigation, the draft Law on the Asset Recovery Office and the draft Law on the Management of Confiscated Property, property proceeds and confiscated items in criminal and misdemeanour procedure. The text of the Law on Origin of Property should be prepared.

454 Electronic National Register of Regulations of the Republic of North Macedonia - ENER, "The Draft Law on Confiscated Property, Property Proceeds and Confiscated Objects in Criminal and Misdemeanour Proceedings", July 15, 2022, https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=74776.

3. *Fundamental rights*



THE CASE LAW OF THE EUROPEAN COURT OF HUMAN RIGHTS

In 2021, the European Court of Human Rights (ECtHR) decided on 368 applications against North Macedonia, of which 362 were declared inadmissible or rejected. The Court adopted six judgments (in six applications), in five of which the Court found at least one violation of the right to a fair trial protected by Article 6 of the ECHR, according to the ECHR Country Notice.⁴⁵⁵ In the first seven months of 2022, the ECtHR ruled on 194 applications against North Macedonia.⁴⁵⁶

At the beginning of May 2022, the Bureau for the Representation of North Macedonia before the ECtHR published its Annual Report on its work in 2021,⁴⁵⁷ which stated that there is an increasing trend in the number of applications submitted to the ECtHR against the Republic of North Macedonia. Hence, in 2021, the number of submitted applications against the country increased by 68 applications. The report shows that, as in previous years, in 2021 this number is above the European average according to the Index of submitted applications per 10,000 inhabitants, which is 1.90 in the country, and 0.53 at the European level.⁴⁵⁸ At the same time, the Annual Report on the work of the Interdepartmental Commission for the Execution of ECtHR Decisions for 2021 was published.⁴⁵⁹

In the reporting period, the case of *Kostova and Apostolov versus North Macedonia*, in which the ECtHR determined a violation of the freedom of expression under Article 10 of the ECHR, can be highlighted from the notable judgments. Namely, the applicants, chief editor and a journalist in a weekly newspaper, published two texts on the third and fourth of January 2013 about a person who was then a senior member of the then ruling party and Director of the Security and Counterintelligence Directorate. In the civil defamation proceedings brought by that person, both the Skopje First Instance Court and the Appellate Court established that the applicants had harmed the reputation, without first trying to confirm their credibility and that the published information did not serve the public interest. However, the ECtHR decided that the decisions of domestic courts represented unjustified interference in the exercise of their freedom of expression and obliged the state to pay the applicants jointly, EUR 3,000 in compensation for non-material damage and EUR 1,250 in compensation for expenses.⁴⁶⁰

455 European Court of Human Rights – Country Brief (2022), https://echr.coe.int/Documents/CP_Republic_of_North_Macedonia_ENG.pdf, accessed 19 February 2022.

456 Ibid

457 Ministry of Justice, “Annual report on the work of the Office for Representation of the RNM before the ECtHR for 2021,” May 5, 2022, <http://bitly.ws/vVXA>.

458 Ibid

459 Ministry of Justice, “2021 Annual Report on the Work of the Interdepartmental Commission on the Execution of ECtHR Decisions,” 5 May 2022, <http://bitly.ws/vVXA>.

460 “ECtHR, case of *Kostova and Apostolov v. North Macedonia*” (A. no. 38549/16), April 5, 2022, <https://bit.ly/3G7MA0G>.

In two other judgments in the reporting period, the ECtHR determined a violation of Article 6, paragraph 1 of the ECHR – the right to a fair trial. In the case of *Kostovski v. North Macedonia*, the applicant complained that the absence of an oral hearing in the misdemeanour proceedings against the applicant and the refusal by the domestic authorities to accept evidence, as well as that the measures taken in relation to the misdemeanour proceedings were excessive. The ECtHR decided that domestic authorities failed to give adequate arguments for refusing the applicant's requests to hold an oral hearing and to receive the video recordings as evidence, thereby failing to fulfil the right to a fair trial, which is why it ordered the state to pay the applicant EUR 3,600 compensation for non-material damage and EUR 850 compensation for costs.⁴⁶¹

In the case of *Talevska and Trpčeska v. North Macedonia*, the applicants complained that they were deprived of the opportunity to be notified and comment on the submissions of the defendant in civil proceedings in which they unsuccessfully claimed that their employment (as court officials) was registered with the social security authorities. The ECtHR determined that they were deprived of the right to a fair procedure according to Article 6, paragraph 1 of the ECHR and obliged the state to pay the applicants EUR 1,500 (per claimant) compensation for non-material damage and EUR 1,850 (joint) compensation for expenses.⁴⁶²

461 "ECtHR, case *Kostovski v. North Macedonia*" (A. no. 23773/17), June 7, 2022, <https://bit.ly/3X1305E>.

462 "ECtHR, *Talevska and Trpčeska* case against North Macedonia" (A. no. 11828/16), June 28, 2022, <https://bit.ly/3tpFM60>.

OMBUDSMAN

According to data in the Annual Report for 2021, in 2021 the Ombudsman processed/considered a total of 3,075 applications, of which 2,686 applications are from 2021, while the other 389 cases were carried over from the previous year. Out of the total number of complaints, the Ombudsman started proceedings in 2,108 cases (or 67.80%). In this reporting year, the largest number of established violations were in the area of protection of children's rights (139 cases), in the area of justice (83 cases), social protection (67 cases), consumer rights (63 cases), finance and financial operations (47 cases), protection of rights from labour relations (41 cases), pension and disability insurance (39 cases) and others.⁴⁶³

In the first nine months of 2022, the Ombudsman processed/considered a total of 2,632 complaints, of which 2,359 complaints are from 2022, while the other 279 cases were transferred from the previous year and 2,108 of the total number of cases have been resolved so far. In this period, the largest number of complaints received were in the field of justice (411 cases), in the field of consumer rights (259 cases), protection of rights from labour relations (195 cases), protection of children's rights (185 cases), penitentiary and correctional facilities (162 cases), property rights (158 cases) and others.⁴⁶⁴

In January 2022, the Ombudsman⁴⁶⁵ presented the 2020 Monitoring Report⁴⁶⁶ on the Application of the Principle of Equitable Representation,⁴⁶⁶ which was published in December 2021. According to the Report, in the period from 2007 to 2020 there was a total improvement in terms of respect for the constitutional obligation,⁴⁶⁷ however, there is still a trend of unsatisfactory representation of smaller communities at ministries, especially at managerial positions.⁴⁶⁸ In addition, the application of the principle of equitable representation is not respected in the judiciary and at public prosecutor's offices.⁴⁶⁹ The Ombudsman also presented the findings of the Special Report on Gender Representation in the Public Sector for 2020, with the findings indicating an improvement in the level of gender equality, unlike previous years, with the exception of gender equality when it comes to management positions.

463 Ombudsman of the Republic of North Macedonia, "Annual report on the degree of ensuring respect, promotion and protection of human freedoms and rights 2021", March 2022, <https://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Godisni%20izvestai/GI-2021/GI%20-2021.pdf>.

464 Ombudsman of the Republic of North Macedonia, "Response to a request for free access to public information", October 19, 2022.

465 "Press conference of the Ombudsman Mr. Nasser Ziberi on the situation with the degree of respect for the principle of equitable representation of communities", official website of the Ombudsman of the Republic of North Macedonia, January 28, 2022, <http://bitly.ws/vVXH>.

466 Ombudsman of the Republic of North Macedonia "Report on the monitoring of the situation with the application of the principle of equitable representation for the year 2020", December 2021, <https://bit.ly/3ra6jnZ>.

467 Ibid

468 Ibid

469 Ibid

On the occasion of the European Day of Victims of Crime, the Office of the Ombudsman presented the last official data on victims of human trafficking in 2021. Specifically, 48 victims of human trafficking were detected last year.⁴⁷⁰

470 "How to better prevention and protection in the fight against human trafficking?" An event organized within the framework of the organized crime radar for the Western Balkans", official website of the Institute for Democracy "Societas Civilis", Skopje, February 22, 2022, <https://bit.ly/3L0dYQY>.

TORTURE OR OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

In 2021, the Ombudsman acted upon eight applications regarding torture, inhuman or degrading treatment by police officers and members of the prison police.⁴⁷¹ Out of the submitted applications, six refer to members of the prison police, and two to police officers.⁴⁷² During the proceedings, the Ombudsman found no violation in six cases, in one case a request was submitted for the determination of criminal liability of a police officer and it was concluded with a final court verdict, which establishes liability for mistreatment in the performance of duty, and in one case the procedure is pending.

In 2021, the Department for Internal Control, Criminal Investigations and Professional Standards at the Ministry of the Interior (Moi) took measures to examine a total of 1,239 cases of alleged abuse of authority and abuse of the official position and authority by officials, of which criminal charges were filed against three crimes of ill-treatment in the performance of duties.⁴⁷³ For comparison, in the first nine months of 2022, the Department took measures to investigate a total of 942 cases of alleged illegal, unprofessional and unethical behaviour of employees at the Ministry, four of which refer to ill-treatment in the performance of duties.⁴⁷⁴

The specialized department for the prosecution of crimes committed by persons with police powers and members of the prison police at the BPPOOCC acted against 73 persons for the crime of ill-treatment in the performance of duties, in which a decision was adopted to reject the criminal complaint against 44 persons, for 14 persons a proposal for indictment proposal was submitted, for 13 persons the procedure is pending, for one person the report was submitted to another authority, and for one person a proposal for issuing a criminal warrant has been submitted.⁴⁷⁵

In 2021, the Skopje First Instance Criminal Court dealt with a total of 28 cases for the crime of harassment in the performance of the service, of which in nine cases there were convictions, three were acquitted, and 14 cases are pending. For the crime of

471 Ombudsman of the Republic of North Macedonia, "Annual report on the degree of ensuring respect, promotion and protection of human freedoms and rights 2021", March 2022, <https://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Godisni%20izvestai/GI-2021/GI%20-2021.pdf>.

472 Ibid

473 Home Office, "Report on the work of the Department of Internal Control, Criminal Investigations and Professional Standards for the whole year 2021", January 2022, <https://bit.ly/3WrA80U>.

474 Ministry of the Interior, "Report on the work of the Department for Internal Control, Criminal Investigations and Professional Standards in the first nine months of 2022", October 12, 2022, https://mvr.gov.mk/Upload/Editor_Upload/Izvestaj-9meseci.pdf.

475 Helsinki Committee for Human Rights of the Republic of North Macedonia, "Annual report on the situation with human rights in 2021", June 20, 2022, <https://bit.ly/300Sy5s>.

torture and other cruel, inhuman or degrading treatment and punishment, the Court did not conduct any proceedings.⁴⁷⁶ At the end of October 2021, the Skopje First Instance Court adopted a verdict declaring the indicted uniformed police officer employed at the Bitola Department of Internal Affairs (DIA) guilty and sentenced him to one year in prison, which is a positive example, because this decision is among the first instance verdicts where an effective prison sentence is imposed on a police officer due to the use of excessive force against a damaged person for the crime of ill-treatment in the performance duties, and the previous judicial practice was the imposition of a suspended sentence for police officers, even when the use of excessive force by police officers overstepping authorities was established.⁴⁷⁷

In a prominent case of inhumane treatment, a video of police brutality against a member of a group of soccer fans went viral on social media in April 2022, confirming that excessive force remains a common police practice. The video shows how police officers use excessive force on a person lying on the ground, without actively resisting, so there is an indication that the actions of the police officers were neither proportionate nor legal.⁴⁷⁸

For three years, no complaint about torture and inhumane treatment by a convicted person has been submitted to the Directorate for the Execution of Sanctions.⁴⁷⁹

476 Ibid

477 Macedonian Young Lawyers Association, "Annual Report on the Efficiency of Legal Protection of Human Rights in the Republic of North Macedonia - 2021", December 2021, <https://bit.ly/3TXs0sU>.

478 "Urgently investigate and sanction police brutality against a fan", official website of the Helsinki Committee for Human Rights of the Republic of Macedonia, April 1, 2022, <https://bit.ly/3AfhMYa>.

479 Macedonian Young Lawyers Association, "Annual Report on the Efficiency of Legal Protection of Human Rights in the Republic of North Macedonia - 2021", December 2021, <https://bit.ly/3TXs0sU>.

PRISON AND PRE-TRIAL DETENTION

At the beginning of November 2021, the 2021-2025 National Strategy for the Development of the Penitentiary System of the Republic of North Macedonia was promoted, which aims to contribute to the provision of safer and more human treatment of convicted persons and persons in pre-trial detention, as well as respect for their basic rights, in accordance with European values and standards.⁴⁸⁰

The most pressing problems in the penitentiary system continue to be access to health care, the education process and the process of resocialization of convicted persons, untrained management and professional staff at penitentiaries, and ineffective internal and external mechanisms for reporting and prosecuting cases of torture and inhuman treatment of convicted persons.⁴⁸¹ Along these lines, the Ombudsman points out that the problem of adequate health care for convicted and persons in pre-trial detention has not yet been resolved. Almost half of the prison institutions do not have a doctor. In order to overcome this problem, some of the prisons hire doctors themselves, so as not to leave convicted and persons in pre-trial detention without access to primary health care.⁴⁸² Furthermore, when reviewing the situation in prisons in the country, the Ombudsman concluded that inmates in almost all prisons are victims of inhuman and degrading treatment, because the premises do not meet the minimum standards, there is not enough room for all prisoners, hygiene is at a low level, and a special problem is inappropriate behaviour and degrading treatment by employees towards inmates.⁴⁸³

In April 2022, on the occasion of one hundred days of the Government, it was emphasized that financial resources for capital investments in penitentiary and correctional facilities for 2002 in the amount of approximately EUR 250,000 have been provided and that the plan to prevent corruption in the national penitentiary system is implemented.⁴⁸⁴

After a story was published by media portals about the different treatment of boys and girls serving sentences in penitentiary institutions, the Ombudsman made a special visit to the Idrizovo Prison and adopted a conclusion with statements and

480 "Promotion of the National Strategy for the Development of the Penitentiary System", Civil Media, November 21, 2021, <https://civilmedia.mk/promotsija-na-nacionalnata-strategija-za-razvoj-na-penitentsijarniot-sistem/>.

481 Macedonian Young Lawyers Association of Young Lawyers, "Annual Report on the Efficiency of Legal Protection of Human Rights in the Republic of North Macedonia - 2021", December 2021, <https://bit.ly/3TXs0sU>.

482 Ombudsman of the Republic of North Macedonia, "Annual report on the degree of ensuring respect, promotion and protection of human freedoms and rights 2021", March 2022, <https://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Godisni%20izvestai/GI-2021/GI%20-2021.pdf>.

483 "Ombudsman: Prisoners sleep among cockroaches and cockroaches", Pravidiko, June 24, 2022, <https://www.pravidiko.mk/makedonijanarodniot-pravobranitel-zatvorenitsite-spijat-megu-bubashvabi-i-lebarki/>.

484 "Ministry of Justice: Financial resources have been provided for the reconstruction of penal institutions, the reconstruction of the Administrative Court building is in the final phase", official website of the Government of the Republic of North Macedonia, April 30, 2022, <https://vlada.mk/node/28626>.

recommendations to the Directorate for the Execution of Sanctions. The two visits to the Prison were in August 2021 and March 2022, during which he stated that the minor girls were not sent to a separate correctional facility, but to a separate room at the Idrizovo Prison, which meant that they were not really separated from the adult prisoners. In addition, it was established that the girls did not receive adequate health care or education and did not engage in any physical and sports activities. It was therefore proposed that the girls be sent to the Volkovia Correctional Facility, where the boys serve the same sentence, but will be properly segregated in accordance with the law and will have access to appropriate services according to established standards.⁴⁸⁵

Children serving educational measures in the Tetovo Correctional Facility, as well as in the women's ward at the Idrizovo Prison, do not attend classes from September 2021.⁴⁸⁶ The Helsinki Committee for Human Rights (HCHR) and the Macedonian Young Lawyers Association (MYLA) appealed with the state authorities to urgently and immediately take all the necessary measures so that the education process at penitentiaries can continue to be implemented in the shortest possible time.⁴⁸⁷

On 18 May, the Minister of Justice held a meeting with representatives of the independent unions of the prison police and administration and of the court administration, during which he was informed about their requests for improvement of conditions in which work tasks and duties are performed, and it was agreed in the following period to form working groups that will determine weaknesses and propose measures to improve the working conditions of prison guards, the administration and court administration.⁴⁸⁸

Under the 2020 audit report of the Skopje Prison, the State Audit Office established that the resocialization sector is not sufficiently staffed, which calls into question the process of successful resocialization of convicted persons, and there is no designated person to check the quality of the food before the distribution of meals. At the same time, it was established that no accounting records are kept for the material assets available to the prison, and therefore, key recommendations of the State Audit Office

485 "For the same measure, boys in a correctional facility, girls in prison", 24 Vesti, April 2, 2022, <https://24.mk/details/za-ista-merka-momchinjata-vo-vospitno-popraven-dom- devojchinjata-vo-zatvor>.

486 "Although according to the Law on Execution of Sanctions, the Ministry of Education and Science has a legal obligation to organize, plan and finance an educational process in penal institutions, this process was carried out with the financial support of UNDP until September of last year. After the completion of the project, the children in these institutions were left without education."

487 "The lack of an educational process in correctional institutions will leave lasting and harmful consequences on the wards", Akademik, April 26, 2022, <https://bit.ly/3E4AXF5>.

488 "At today's meeting with the representatives of the independent unions of the prison police and administration and of the court administration, I was informed about the requests of these persons to improve the conditions in the performance of work obligations and duties", the official Facebook page of the Minister of Justice Nikola Tupanceski, 18 May 2022, https://www.facebook.com/permalink.php?story__fbid=140682398543161&id=100078042045641.

are that it is necessary to staff the resocialization department appropriately, as well as that the responsible person take measures that persons who are appointed to inspect the food to act by fulfilling their duties.⁴⁸⁹

In July, coordinated police actions in prison facilities continued, during which a search was carried out in the Prilep Prison, where the following was found and confiscated: knives, mobile phones and chargers, money in cash in an amount higher than the legally allowed amounts for convicted persons, etc.⁴⁹⁰

489 "SAO: 'The department for resocialization at KPU Zatvor Skopje is not sufficiently staffed and there is no person to check the quality of food'", 24 info, July 7, 2022, <http://bitly.ws/vVXY>.

490 "Searches in Prilep Prison: Knives and other prohibited items were found among the convicted persons", Pravidko, July 21, 2022, <https://www.pravidko.mk/pretrisi-vo-kpd-prilep-kaj-osudenite-liitsa-pronajdeni-nozhevi-i-drugi-zabraneti-predmeti/>

PERSONAL DATA PROTECTION

In August 2022, one year passed after the new Law on Protection of Personal Data entered into force,⁴⁹¹ so during the reporting period certain deficiencies surfaced that were corrected with the adoption of the Law on Amendments and Supplements to the Law on Protection of Personal Data⁴⁹² and amendments and additions to a large number of rules⁴⁹³ governing this Law in more detail. In addition, the Agency for Personal Data Protection (APDP) published a Guide on the legality of personal data processing⁴⁹⁴ and adopted a Methodology for the harmonization of sector legislation with the Law on Personal Data Protection.⁴⁹⁵

Regarding the number of complaints, a total of 540 complaints were submitted in 2021, of which 247 complaints (45%) are about abuses on social networks, and the other are about other grounds in terms of direct marketing, impossibility of withdrawing consent, failure to provide conditions for exercising rights of the subjects of personal data and others. In terms of abuses of social networks, most of the complaints refer to fake profiles, unauthorized intrusion into profiles, publication of other people's video and audio recordings and others. The most represented social network to which applications refer to is "Facebook" (126), then "Instagram" (103), and other applications refer to "YouTube", "Tik-Tok", "Twitter", "Snapchat" and others.⁴⁹⁶

The main focus of the APDP in the coming period will be the adoption of a Law for the transposition of Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 (Police Directive); enactment of a Law amending and supplementing the Personal Data Protection Law in terms of ensuring full autonomy and independence of the Agency for Personal Data Protection (funding and employment), as well as

491 "Official Gazette of the Republic of North Macedonia", no. 42/2020.

492 "Official Gazette of the Republic of North Macedonia", no. 294/2021.

493 Rulebook Supplementing the Rulebook for the Transfer of Personal Data, "Official Gazette of the Republic of North Macedonia", no. 183/22; Rulebook for Supplementing the Rulebook for Personal Data Protection Training, "Official Gazette of the Republic of North Macedonia", no. 183/22; Rulebook for supplementing the Rulebook on the form and content of the official identification card and on the manner of its issuance and revocation, "Official Gazette of the Republic of North Macedonia", no. 143/22; Rulebook for supplementing the Rulebook on the form and content of the request for determining a violation of the provisions of the Law on the Protection of Personal Data, "Official Gazette of the Republic of North Macedonia", no. 183/22; Rulebook for Supplementing the Rulebook on the Method of Reporting Violation of Personal Data Security, "Official Gazette of the Republic of North Macedonia", no. 183/22; Rulebook for Supplementing the Rulebook for Notification of High-Risk Personal Data Processing, "Official Gazette of the Republic of North Macedonia", no. 183/22; Rulebook for amending the Rulebook on the content and form of the act on the method of performing video surveillance, "Official Gazette of the Republic of North Macedonia", no. 280/21; Rulebook for supplementing the Rulebook on the content and form of the act on the method of performing video surveillance, "Official Gazette of the Republic of North Macedonia", no. 183/22; Rulebook for supplementing the Rulebook on the content of the analysis of the purpose, i.e. the goals for which the video surveillance is set and the report of the periodic evaluation of the results achieved by the video surveillance system, "Official Gazette of the Republic of North Macedonia", no. 183/22.

494 Personal Data Protection Agency, "Guide to the Lawfulness of Personal Data Processing," 28 Jan. 2022, <https://bit.ly/3uhp415>.

495 The methodology contains guidelines that regulate the activities of ministries in the process of harmonizing sectoral legislation, which includes a process of reviewing existing laws, as well as a process of conducting an assessment of the impact of the law in relation to the protection of personal data, which are in accordance with positive experiences from practices in the European Union and its member states, as well as its legislation. Methodology for the harmonization of the sectoral legislation with the Law on the Protection of Personal Data, "Official Gazette of the Republic of North Macedonia", no. 38/22.

496 Personal Data Protection Agency of the Republic of North Macedonia, "Annual Report for 2021", April 1, 2022, https://dzlp.mk/sites/default/files/u4/2021-azlp-godisen_izvestaj_z_a_2021_-_pdf.pdf.

facilitating the process of transferring personal data to other countries according to the new rules set forth by European Union, as well as providing new employment and providing additional budget funds for motivating, retaining and further professional advancement of human resources in order to prevent the outflow of existing professional and trained staff.⁴⁹⁷

The APDP issued a statement⁴⁹⁸ regarding information⁴⁹⁹ on the publication of decisions for persons who should be in isolation due to a positive test for COVID-19 on the website of the State Sanitary and Health Inspectorate and in the "Official Gazette", with the aim of electronic publication of the decisions. In particular, the APDP stated that the publication of decisions is not in accordance with the principle of legality, fairness, and transparency.

During the reporting period, the APDP signed a Memorandum of Cooperation with the following institutions and organizations: the Ministry of Economy,⁵⁰⁰ the Agency for Youth and Sports,⁵⁰¹ the Commission for the Prevention of and Protection against Discrimination (CPPD),⁵⁰² the Government of the Republic of North Macedonia - General Secretariat,⁵⁰³ the Bureau for Education Development,⁵⁰⁴ the Metamorphosis Foundation for Internet and Society,⁵⁰⁵ the State Labour Inspectorate,⁵⁰⁶ the State Commission deciding in the second instance in the field of inspection supervision and misdemeanour proceedings,⁵⁰⁷ as well as the State Election Commission, the Ministry of Health and the Macedonian Banking Association.⁵⁰⁸ The memoranda of cooperation were signed in order to conduct trainings for the protection of personal data for representatives of these institutions, with the aim of full and correct implementation of regulations for the protection of personal data.

497 Agency for the Protection of Personal Data of the Republic of North Macedonia, "Response to a request for free access to public information", November 1, 2022.

498 "Announcement regarding the information on the publication of the decisions for the persons who should be in isolation", official website of the Agency for the Protection of Personal Data, February 3, 2022, <https://bit.ly/3NdTbbq>.

499 "Decisions for persons who should be in isolation will be published on the website of DSZI", MIA - Media Information Agency, February 1, 2022, <https://bit.ly/3jecfZ2>.

500 "Signed memorandum of cooperation between the Agency for the Protection of Personal Data and the Ministry of Economy", official website of the Agency for the Protection of Personal Data, October 26, 2021, <https://bit.ly/3sPKZov>.

501 "Signed Memorandum of Cooperation between the Agency for the Protection of Personal Data and the Agency for Youth and Sports", official website of the Agency for the Protection of Personal Data, November 23, 2021, <https://bit.ly/3FBjhTz>.

502 "Signed memoranda of cooperation with the Commission for Prevention and Protection from Discrimination, the Government of the Republic of North Macedonia - General Secretariat and the Bureau for the Development of Education", official website of the Agency for the Protection of Personal Data, December 13, 2021, <https://bit.ly/3sTml0e>.

503 Ibid

504 Ibid

505 "Signed memorandum of cooperation between the Agency for the Protection of Personal Data and the Foundation for Internet and Society 'Metamorphosis'", official website of the Agency for the Protection of Personal Data, December 23, 2021, <https://bit.ly/3zBRQWk>.

506 "Signed memorandum of cooperation between the Agency for the Protection of Personal Data and the State Labour Inspectorate", official website of the Agency for the Protection of Personal Data, February 16, 2022, <https://bit.ly/3WhEvvU>.

507 "Signed Memorandum of Cooperation between the Agency for the Protection of Personal Data and the State Commission for Decision-making in the Second Degree in the Field of Inspection Supervision and Offense Procedure", official website of the Agency for the Protection of Personal Data, February 24, 2022, <https://bit.ly/3NuKee3>.

508 Ibid

In the Annual Report on the work of the Bureau for Representation of North Macedonia before the ECtHR in 2021, it was stated that there is a trend of increasing the number of applications submitted to the ECtHR versus the Republic of North Macedonia. However, it is necessary for the country to consistently enforce judgements adopted by the ECtHR.

Although there is an improvement in respect of the constitutional obligation to respect the principle of equitable representation, the situation of unsatisfactory representation of smaller communities at Ministries, especially at managerial positions, in the judiciary and the prosecutor's office, needs to be improved. In addition, the level of gender equality at managerial positions should be improved.

Given that cases of excessive use force by police officers have been observed, it is necessary for courts to follow the positive example of the First Instance Criminal Court in imposing effective prison sentences on police officers for using excessive force.

A consistent and appropriate application of recommendations of the European Committee for the Prevention of Torture is needed.

It is necessary to fully implement the measures provided for in the 2021-2025 National Strategy for the Development of the Penitentiary System in the Republic of North Macedonia, and especially to solve the problem of access to health care, implementation of the education process and the process of resocialization of convicted persons, the untrained managerial and professional staff in penitentiary correctional facilities and ineffective internal and external mechanisms for reporting and prosecuting cases of torture and inhumane treatment of convicted persons. In addition, the premises must meet the minimum standards, have enough space for all prisoners and improve the level of hygiene.

Children serving educational measures should be enabled to participate in the education process in penal institutions.

FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

In the State Department's Report on Religious Freedoms in the Republic of North Macedonia for 2021, it is noted that the First Instance Civil Court received ten applications during the year to register churches and religious communities/groups, and in nine of them the court adopted a ruling, while one application is still pending.⁵⁰⁹ The Report also points out that the HCHR registered 30 incidents of hate speech with a religious component during the year, which marks a slight decrease compared to the previous year.⁵¹⁰

The CPPD instituted ex officio proceedings against a public servant, due to his statements in a debate show on a television channel, which indicates harassment on grounds of ethnicity of persons belonging to the Turkish ethnic community in the Republic of North Macedonia.⁵¹¹

According to the published first set of results of the Census of Population, Households and Apartments in the Republic of North Macedonia conducted in 2021, the majority of the population in the country declared a certain religious affiliation (92.6%), while a very small percentage declared themselves atheists (0.02%) and agnostics (0.11%).⁵¹² According to religious affiliation, 46.14% declared themselves as Orthodox Christians, 32.17% as Muslims, 0.48% as Protestant Christians, 0.37% as Catholics,⁵¹³ and the rest of the population belongs to the following churches and religious communities: Protestants, Jehovah's Witnesses, Buddhists, Evangelical Methodists, Evangelicals, Adventists, Hare Krishnas, people belonging to the Jewish Mosaic Community, Baptists and Reformers.

509 US Department of State Office of International Religious Freedom, "Report on International Religious Freedom: North Macedonia 2021", 2022, <<https://www.state.gov/reports/2021-report-on-international-religious-freedom/north-macedonia/>>.

510 Ibid

511 "Ex officio proceedings initiated against Valjion Bela", official website of the Commission for Prevention and Protection from Discrimination, April 18, 2022, <https://bit.ly/3NfH0dY>.

512 "Census 2021: Buddhists and Jehovah's Witnesses outnumber atheists [infographic]", Meta.mk, March 30, 2022, <https://meta.mk/popis-2021-budisti-i-jehovini-svedoci-ima-povekje-od-ateisti-infografik/>.

513 Announcement of the State Statistics Office - Census of the population, households and apartments in the Republic of North Macedonia, 2021 - first set of data, official website of the State Statistics Office, March 30, 2022, <https://www.stat.gov.mk/pdf/2022/2.1.22.10-mk.pdf>.

FREEDOM OF EXPRESSION

On the occasion of World Press Freedom Day (May 3), the Minister of Justice announced amendments to the Law on Civil Liability for Defamation, which will guarantee freedom of expression. The amendments include a drastic reduction in the amount of fines for media workers for damage caused by insult or defamation and they are currently in parliamentary procedure.⁵¹⁴

Regarding the anonymous proposal to amend and supplement the Law on Audio and Audio-visual Media Services (LAAVMS), which is currently considered by parliamentary political groups, the Association of Journalists of Macedonia (AJM) reacted that this amendment had been secretly drafted, without consultations and involvement of relevant organizations and without public debate. This amendment abolishes the applicable ban on government advertising in private media and at the same time foresees high amounts for broadcasters from the citizens' budget at the central and local level. Therefore, the AJM believes that the Government and political parties have no sincere intentions to create solutions that will guarantee the independence of the media and freedom of expression.⁵¹⁵

The Republic of North Macedonia was assessed as "partially free" with a score of 67/100, i.e., one place higher than in 2021 (66/100).⁵¹⁶ North Macedonia was ranked 57th out of 180 countries in Reporters Without Borders' 2022 Media Freedom Index, going up 33 places compared to last year, when it was ranked 90th. The Report states that, although journalists do not work in a hostile atmosphere, widespread misinformation and a lack of professionalism contribute to a decrease in society's trust in the media, which exposes independent media to threats and attacks. Furthermore, the transparency of institutions is particularly weak and due to political polarization, the media can be subjected to pressure.⁵¹⁷

514 "Ministry of Justice, Tupancheski: 'Free journalists, free society.'"The amendments to the draft law on civil liability for insult and defamation guarantee freedom of expression", May 3, 2022, <https://pravda.gov.mk/vest/6349>.

515 "AJM: 'The mistake with paid campaigns in private media must not be repeated'", Radio MOF, July 13, 2022, <https://www.radiomof.mk/znm-ne-smee-da-se-povtori-greshkata-so-platenite-kampanji-vo-privatni-mediumi/>.

516 "Freedom House, Freedom in the World 2022 - North Macedonia", 2022, <<https://freedomhouse.org/country/north-macedonia/freedom-world/2022>>.

517 "North Macedonia in 57th place according to Reporters Without Borders Media Freedom Index", Business News, May 3, 2022, <https://bit.ly/3zDsfvZ>.

Pressure on Journalists

The amendments to the CC, which announced that an attack against a journalist will be punished as an attack against an official,⁵¹⁸ still remain in parliamentary procedure.

The Association of Journalists of Macedonia (AJM) registered a total of five attacks and blatant threats in 2021, which is a decrease compared to 2020, when 14 such incidents were recorded by the AJM.⁵¹⁹ In addition, in the 2021 Report of the State Department, it was determined that there is progress in respecting media freedom and freedom of expression in the country, but there are still problems that persist from previous years, such as violence and intimidation of journalists, and that the response of institutions regarding the protection of journalists and media workers is slow and ineffective.⁵²⁰ However, the research shows that out of journalists who received threats, 14.9% did not report them due to distrust in the judiciary, 14% due to distrust in the police, and 13.7% due to distrust in the prosecutor's office.⁵²¹

A journalist⁵²² was called to the police station following a report by the head of one of the departments at the Ministry of Justice (MoJ), who, according to the police report, felt anxious about her own health and reputation after publishing an article written by the journalist. According to the police inspector at the police station, this is the first case where the Ministry of the Interior, even though it is not competent, called a journalist for an interview in connection with a written text in the media.⁵²³ This incident was immediately condemned and an explanation was requested,⁵²⁴ after which the Ministry of Justice informed the public that a disciplinary committee had been established, which would investigate the case of the managerial staff member and will do everything to protect the freedom of expression and speech.⁵²⁵

On 3 June 2022, the AJM published a document entitled "Attacks against journalists and media workers 2017-2021: Trends and recommendations", which covers some of

518 "With the amendments to the Criminal Code, an attack on a journalist will be punished as an attack on an official", Akademik, June 14, 2021, <https://akademik.mk/so-izmenite-na-krivichniot-zakonik-napadot-na-vrz-journalist-ke-se-kaznuva-kako-napad-vrz-sluzbeno-litse/>.

519 Association of Journalists of Macedonia, "Northern Macedonia: Indicators for the degree of freedom of the media and the safety of journalists 2021", (2022) <<https://znm.org.mk/wp-content/uploads/2022/05/MK-MK-2021-finalen-izvestaj.pdf>>.

520 "The report of the State Department with a special focus on the safety of journalists", official website of the Association of Journalists of Macedonia, April 14, 2022, <https://bit.ly/3fdBQ5M>.

521 Biljana Bejkova Joseska and Sead Jigal, "With joint action to greater respect for the rights of journalists and media workers", January 2022, <https://bit.ly/302ky-Wa>.

522 After publishing an article about a lawyer who claims that he was asked for a bribe by the head of one of the departments in the Ministry of the Interior, followed by blackmail, a journalist from a national online media was called to the police station in Skopje for an official interview in connection with a report against the said article.

523 "The journalist of SAKAMDAKAZAM.MK, Sonja Delevska, who was called to the police for a published text, upset the head of the Ministry of Justice", I want to say, May 16, 2022, <https://bit.ly/3truvDb>.

524 "Freedom of speech must not be silenced by police strictness", Sloboden Pecat, May 17, 2022, <https://www.slobodenpecat.mk/slobodata-na-govor-ne-smee-da-se-zamolchi-so-policiska-strogost/>.

525 "A disciplinary commission has been formed that will investigate the case of the head of the Ministry of Justice", Press 24, May 17, 2022, <https://press24.mk/formirana-e-disciplinska-komisija-koja-kje-go-ispitiva-sluchajot-so-rakovoditelkata-vo-mp>.

the more serious violations of the rights of media workers that have been recorded and are noted as recurring trends, in the form of attacks against journalists in the last five years.⁵²⁶ The key findings of this document show that the number of attacks against female journalists is higher than the number of attacks against male journalists in the last two years; that the frequency of attacks and threats against media workers increases in turbulent political situations; that physical attacks on journalists have decreased during the pandemic, while online threats to journalists have increased significantly, and that impunity for attacks against journalists continues.⁵²⁷ The AJM also reacted to remarks of the leader of the largest opposition party VMRO-DPMNE, delivered at a public meeting, at which journalists who report on the bilateral dispute with Bulgaria were publicly pointed out and labelled, which negatively affects the freedom of the media and contributes to censorship, self-censorship and hate speech against the media.⁵²⁸

After frequent attacks and degradation of journalists and media crews during the protests against the French proposal for the accession of North Macedonia to the EU, the Independent Union of Journalists and Media Workers (IUJMW) stated that it is important to emphasize the necessity for journalists to be respected and protected. Their expectations are that staff of the Ministry of the Interior, institutions, political parties, and participants in the protests will refrain from attacks and protect journalists, because every attack against a press crew is an attack against the general public and public interest, an attack against freedom of expression and democracy.⁵²⁹ At the same time, on the occasion of the protests, the AJM pointed to a problematic attitude towards media workers by some staff members of the Ministry of the Interior, but also by participants in the protest, calling on police officers to a cooperative approach and reminding the public that journalists serve the function of satisfying the right of the people to information, so the obstruction of their work encourages censorship of the media.⁵³⁰

On the occasion of another incident in which a death threat was directed again a journalist, the AJM announced that it will file a report with the Ministry of the Interior and will insist on a quick and efficient investigation in the interest of finding and sanctioning the perpetrator. At the same time, the AJM indicated that threats to life are

526 "AJM published a publication reflecting the tendencies of attacks on journalists and media workers in the last five years", official website of the Association of Journalists of Macedonia, June 3, 2022, <https://bit.ly/3sDsOIB>.

527 **Ibid**

528 "AJM: "Politicians should not belittle journalists in their public speeches", official website of the Association of Journalists of Macedonia, June 20, 2022, <https://bit.ly/3AgcY4D>.

529 "IUJMW: "We have the right to report, but also to have an opinion", official website of the Independent Union of Journalists and Media Workers – IUJMW, July 6, 2022, <https://bit.ly/3AedMH8>.

530 "AJM: "Broken camera – the safety of journalists and videographers must be guaranteed during the protests", official website of the Association of Journalists of Macedonia, July 6, 2022, <https://bit.ly/3Eua4vH>.

crimes sanctioned under the Criminal Code, for which a prison sentence is set forth for perpetrators, and journalists who report on issues of public interest must be protected when their safety is threatened, because otherwise they encourage censorship and acts of hatred against media workers.⁵³¹

The AJM and the Council of Media Ethics of Macedonia (CMEM)) condemned the relationship between a Member of Parliament and a leader of a political party, due to the public statements made on a social network, which, according to them, represent a stigmatizing and discriminatory speech towards journalists, through which he expresses dissatisfaction with the way they report about the Intergovernmental conference in Brussels. In addition, they warn that this type of speech could incite violence against journalists and negatively affect freedom of expression and the quality of public debate.⁵³²

After another incident, the AJM requested an immediate reaction from the Municipality of Saraj and specific measures by the competent institutions, after a journalist crew was prevented from filming by local residents at the beginning of August. The television crew arrived in a village in the municipality, after receiving information that the inhabitants did not have drinking water and after a few minutes of filming, a civilian started behaving aggressively towards them, forbidding them to film and asking them to leave.⁵³³

In addition to this, there was another similar incident in which journalistic work was prevented in early August. Namely, two journalists from a television station scheduled a meeting with persons responsible for public relations after a report was submitted related to issues of labour rights in a public company, when a person who introduced herself as responsible for public relations, after a heated argument with the journalists, she took the phone from one of them and refused to give it back. At the same time, three members of the security kept the journalists in the premises of the enterprise against their will, until the arrival of police officers, called by one of the journalists.⁵³⁴ The AJM condemned the actions of the company's employees and asked the Ministry of the Interior to urgently investigate the case and inform the public, and also asked the director of the company to conduct an investigation and institute disciplinary

531 "AJM demands an immediate reaction to the death threat addressed to journalist Furkan Saliu", Radio MOF, July 9, 2022, <https://www.radiomof.mk/znm-bara-itna-reakcija-za-smrtnata-zakana-upatena-kon-journalistot-furkan-saliu/>.

532 "AJM and MEC: 'We condemn Apasiev's stigmatizing and belittling approach to journalists'", Radio MOF, July 20, 2022, <https://bit.ly/3Tzndrq>.

533 "Alsat journalist team prevented from filming in Saraj", Radio MOF, August 4, 2022, <https://www.radiomof.mk/znm-novinarska-ekipa-na-alsat-sprechna-da-snima-vo-saraj/>.

534 "(Video) TV 'Klan' crew attacked in Communal hygiene", 24 info, August 8, 2022, <https://bit.ly/3OigK3v>.

measures.⁵³⁵ Then, the company announced that disciplinary proceedings had been instituted against the employee who caused the incident and stressed that the company remains open and transparent to all citizens and the media and that inappropriate behaviour by employees will not be allowed in the future.⁵³⁶ Finally, the Agency for Audio and Audio-visual Media Services (AAVMS) also reacted to this incident, stating that everyone should behave with dignity, especially when performing their official duties, and that public institutions should be open and transparent and make an effort to provide free access to information to media crews when reporting on matters of public interest.⁵³⁷

However, this is not the only incident related to the employees of this public company. Namely, a journalist from another media took photos of the garbage in the park near her residence, which was supposed to be cleaned by the company's employees. They verbally assaulted her and threatened her pet. AJM condemns the insults and threats and demands that the public company initiate disciplinary proceedings against the persons responsible for this attack, as well as make a plan for activities to educate employees on issues of public interest and attitude towards citizens, because this is not the first time that their employees react in this way.⁵³⁸ The public enterprise condemned the verbal attack by the employees and announced disciplinary action against them, while encouraging the media and the public to monitor the work of the enterprise, adding that it is open and transparent on all issues.⁵³⁹

An example of censorship of journalists can be seen when police officers from the Negotino police station came to the home address of a journalist due to a complaint by a driver who hit an 11-year-old child with a car in Negotino, after which the AJM reacted that the procedure of the Ministry of the Interior of warning journalists because of a published text is without any excuses, inappropriate and unnecessary, because in this way pressure is exerted on the freedom of expression of journalists.⁵⁴⁰

535 "AJM: "Journalists ill-treated by officials of the Public garbage collection company- the Ministry of the Interior must react urgently", MakPress, August 8, 2022, <https://m.makpress.mk/Home/PostDetails?PostId=494897>.

536 "Public Garbage collection company - Skopje: "Disciplinary proceedings have been instituted for the employee who caused an incident today", press24, August 8, 2022, <https://bit.ly/301LZj5>.

537 "AAVMS on the incident at the Public garbage collection company: "Institutions should be open and transparent", Makfax News Agency, August 9, 2022, <https://bit.ly/3Uy0VYl>.

538 "AJM: "Condemnation for the threats and insults against journalist Ilinka Iljoska from Meta ", Radio MOF, August 16, 2022, <https://www.radiomof.mk/znm-osuda-za-zakanite-i-navredite-kon-novinarkata-ilinka-iljoska-od-meta/>.

539 "Public Garbage Collection Company: "Disciplinary action against employees for the verbal attack on journalist Iljoska", Radio MOF, August 18, 2022, <https://www.radiomof.mk/khs-disciplinska-postapka-protiv-vrbotenite-za-verbalniot-napad-vrz-novinarkata-iljoska/>.

540 "AJM demands responsibility for the police officers who harassed journalist Viki Klincharova", Radio MOF, August 12, 2022, <https://www.radiomof.mk/znm-bara-odgovornost-za-polijacite-koi-ja-voznemiruvale-novinarkata-viki-klincharova/>.

It is necessary to elect the members of the Council of AAVMS, which will enable the unblocking of the reforms of the work of AAVMS.

It is necessary to adopt the amendments to the Criminal Code, with which it was announced that the attack on a journalist will be punished as an attack on an official, which will enable their greater protection. In addition, it is necessary for the competent institutions to act more effectively when reporting a threat to the safety of journalists in the country.

It is necessary to sensitize political parties and public institutions to the work of journalists and the principle of freedom of expression, in order to enable the fulfilment of the public interest in information, but also to avoid the spread of hate speech and attacks against journalistic teams.

VULNERABLE GROUPS AND THE PRINCIPLE OF NON-DISCRIMINATION

On 25 May 2022, the Government reviewed and adopted the National Strategy for Equality and Non-Discrimination 2022-2026, which is a basic strategic document in the national policy for equality and non-discrimination, and its purpose is to ensure continuous development in the realization of these rights without discrimination on any basis.⁵⁴¹

The new opinion of the Advisory Committee of the Framework Convention for the Protection of National Minorities showed that North Macedonia achieved significant progress in the legal protection of the rights of persons belonging to national minorities, especially in the field of anti-discrimination and use of the Albanian language. In addition, it is noted that the “One Society for All” strategy provides a valuable roadmap towards an integrated multi-ethnic society and is in line with the principles of the Framework Convention, as it promotes respect for diversity through intercultural dialogue, although it is still necessary to improve the practical implementation of legislation and policies for national minorities.⁵⁴²

Commission for Prevention and Protection against Discrimination

In mid-October 2021, the Rules of Procedure of the CPPD,⁵⁴³ adopted on the basis of the current Law on Prevention and Protection against Discrimination,⁵⁴⁴ were published, and at the beginning of 2022, its amendment was also published.⁵⁴⁵ The Rules of Procedure regulate in more detail the organization, procedure, modus operandi and decision-making of the CPPD.

The report of the European Commission on the progress of the Republic of North Macedonia in 2021 welcomed the election of the CPPD and highlighted the fact that the composition of the Commission includes experienced professionals from the civil sector, but at the same time pointed to the numerous logistical and financial difficulties faced by the CPPD in the first few months of its existence and recommended that these challenges be addressed and resolved in order to ensure the full functionality of

541 “From the 48th session of the Government: The text of the new Law on service in the Army with additional benefits was established; The changes for higher salaries in the justice and prosecution sector have been established”, official website of the Government of the Republic of North Macedonia, May 25, 2022, <http://vlada.mk/node/28946>.

542 “North Macedonia has achieved significant progress in the legal protection of minorities”, Radio MOF, September 21, 2022, <https://www.radiomof.mk/s-make-donija-postigna-znachitelen-napredok-vo-pravnata-zashtita-na-malcinstvata/>.

543 “Official Gazette of the Republic of North Macedonia”, no. 232/2021.

544 “Official Gazette of the Republic of North Macedonia”, no. 258/2020.

545 “Official Gazette of the Republic of North Macedonia”, no. 2/2022.

CPPD.⁵⁴⁶ And the Commission points out that there are still problems in the functioning in terms of the infrastructure and the maintenance of the premises, and in order to be a fully functional independent body as defined by the Law, it plans to initiate an amendment to the related law. In addition, the CPPD proposes an amendment to the Law on Misdemeanours, with which, instead of being authorized to submit a request for a misdemeanour to the competent departments for misdemeanours in the first instance courts, it would be able to issue misdemeanour orders on its own, because in this way the protection against discrimination would be faster and more effective.⁵⁴⁷

Another burning problem is the budget foreseen for the CPPD for 2022, which is considered a manifestation of systemic neglect for the most vulnerable groups of citizens, because it does not correspond to the needs and competences of the CPPD, and mostly reflects on these groups of citizens who are most susceptible to discrimination.⁵⁴⁸ With the rebalancing of the budget for 2022, the funds provided for the CPPD increased by four million denars.⁵⁴⁹

According to the annual report of the CPPD for 2021, in 2021 the CPPD acted on a total of 167 submitted petitions, of which 77 petitions were submitted in the period from 2016 to 2020, while the other 90 petitions were submitted in 2021. Acting on the submitted petitions, the CPPD determined discrimination in 40 cases, while in 39 cases it was determined that there was no basis for discrimination; for ten petitions, a conclusion was reached for non-action, non-initiation or stopping of the procedure, 41 petitions were rejected due to established incompetence, irregularity, statute of limitations, and inadmissibility, and for 37 petitions the procedure is ongoing. Those cases where discrimination was determined refer to the areas of work and labor relations (15 cases) and access to goods and services (11 cases), the areas of public information, media and social networks (seven cases), justice, administration and electoral rights. (four cases), education (two cases) and sports (one case). The most common basis for discrimination was personal characteristics and social status, which was confirmed in 11 cases, followed by national or ethnic origin (eight cases), belonging to a marginalized group (eight cases) and gender identity (eight cases), sexual orientation (seven cases), discrimination based on gender (five cases), as well as education (five cases) and skin color (five cases).⁵⁵⁰

546 "The EC welcomed the election of CPPD, but pointed to the numerous logistical and financial difficulties the Commission is facing", official website of the Commission for Prevention and Protection from Discrimination, October 22, 2021, <https://bit.ly/3huVuLi>.

547 Teofil Blazhevski, "Monitoring the European integration process: basic rights - there is a framework, the implementation varies, more money is needed everywhere", Metamorfosis Foundation, July 1, 2022, <https://bit.ly/3g4dYC8>.

548 Helsinki Committee for Human Rights of the Republic of North Macedonia, "Annual report on the situation with human rights in 2021", June 20, 2022, <https://bit.ly/300Sy5s>.

549 "The Commission for prevention and protection against discrimination won the trust of the public", Vistinomer.mk, June 23, 2022, <https://vistinomer.mk/komisijata-za-sprechuvanje-i-zastita-od-diskriminacija-ja-osvoji-doverbata-od-javnosta/>.

550 Commission for Prevention and Protection against Discrimination, "Annual Report of the Commission for Prevention and Protection from Discrimination (CPPD) for 2021", 2022, <<https://kszd.mk/wp-content/uploads/2022/03/Godisen-izvestaj-2021.pdf>> accessed on October 7, 2022.

The CPPD contributed to the consultations of the European Commission on the development of standards for equality bodies.⁵⁵¹

The CPPD received a positive evaluation for its work in the latest report from the State Department.⁵⁵² According to the report, in 2021 the Commission worked to protect citizens from violations of their rights by public institutions, reduce discrimination against minority communities and persons with disabilities, promote fair representation in public life and prevent abuse of children's rights.⁵⁵³

In addition, the Commission participated in the preparation of the Fourth Periodic Report on the Republic of North Macedonia, in accordance with the UN International Covenant on Civil and Political Rights, which comes after the Commission's participation in the preparation of the report prepared in accordance with the Convention on the Elimination of Racial Discrimination.⁵⁵⁴

In the reporting period, the CPPD signed a Memorandum of Cooperation with the following institutions and organizations: the Media Ethics Council,⁵⁵⁵ MIA,⁵⁵⁶ the Subversive Front and the Institute for Good Governance and Euro-Atlantic Perspectives⁵⁵⁷ and the Cabinet of the President of the Republic of North Macedonia.⁵⁵⁸

Persons with Disabilities

On 12 April the first meeting was held for the development of the new National Strategy for Persons with Disabilities in North Macedonia; The Ministry of Labour and Social Policy (MLSP) is in charge of the activities for the preparation of the strategy that will cover a period of seven years, while the national coordinating body for the implementation of the Convention on the Rights of Persons with Disabilities will be in charge of coordinating and facilitating the entire process.⁵⁵⁹

551 Commission for Prevention and Protection against Discrimination, "The Importance, Role and Challenges of Equality Bodies in Promoting Equality and Combating Discrimination, Contribution to the Public Consultation Process 'Equality Bodies – Binding Standards'", 16 March 2022, <https://kszd.mk/wp-content/uploads/2022/03/CPD-Contribution-EC.pdf>.

552 US Department of State, Bureau of Democracy, Human Rights, and Labour, "North Macedonia 2021 Human Rights Report," April 27, 2022, <https://bit.ly/3TEFK5H>.

553 "Positive evaluation of the work of the CPPD in the report of the State Department for 2021", official website of the Commission for Prevention and Protection from Discrimination, April 27, 2022, <https://bit.ly/3UXXWsl>.

554 "CPPD involved in the preparation of the State Report according to the UN International Covenant", official website of the Commission for Prevention and Protection from Discrimination, April 27, 2022, <https://bit.ly/3E4RjxA>.

555 "Signed memorandum of cooperation between CPPD and the Council for Ethics in the Media", official website of the Commission for Prevention and Protection from Discrimination, March 22, 2022, <https://bit.ly/3UAP0sT>.

556 "Signed memorandum of cooperation between the Commission for Prevention and Protection against Discrimination and the Ministry of the Interior", official website of the Commission for Prevention and Protection against Discrimination, March 9, 2022, <https://bit.ly/3KhG46x>.

557 "CPPD signed a Memorandum of Cooperation with Subversive Front and IDUEP", official website of the Commission for Prevention and Protection from Discrimination, June 15, 2022, <https://bit.ly/3tq9HMK>.

558 "CPPD and the Cabinet of the President of RS Macedonia signed a Memorandum of Cooperation", official website of the Commission for Prevention and Protection from Discrimination, July 25, 2022, <https://bit.ly/3Es4PwA>.

559 "The process for creating a new National Strategy for Persons with Disabilities begins", official website of the Government of the Republic of North Macedonia, April 12, 2022, <https://vlada.mk/node/28424>.

At the end of April, the Minister of Labour and Social Policy held a meeting with representatives of national organizations of persons with disabilities, where they discussed the requests that these organizations submitted to MLSP through the National Council of Organizations of Persons with Disabilities.⁵⁶⁰

The MLSP announced that it plans to implement many measures to improve the rights of persons with disabilities, in accordance with the requests submitted by associations of citizens and parents of children with disabilities, among which is the adoption of a new National Strategy for Persons with Disabilities, amendments and additions to by-laws and establishing a registry for persons with disabilities.⁵⁶¹

On the occasion of the commemoration of December 3 - the International Day of Persons with Disabilities, CPPD published four general recommendations to the institutions for the elimination of systemic discrimination against persons with disabilities, with the aim of promoting and protecting the rights ensured by the ratification of the UN Convention on the Rights of Persons with Disabilities disability. These recommendations refer to:

- promotion of the right to health care and access to vaccination points for persons with disabilities in conditions of a pandemic,
- promotion and protection of the human rights and dignity of convicted persons with disabilities and respect for their physical and mental integrity during the serving of sentences in penitentiary institutions and correctional homes,
- ensuring accessibility and appropriate adaptation to and in the polling stations, which will enable equal access of persons with physical disabilities to and in the polling stations throughout the country, and
- implementation of the provisions contained in the Convention on the Rights of Persons with Disabilities in the relevant domestic legislation in order to ensure and promote the exercise of human rights and freedoms of all persons with disabilities without any discrimination based on disability.⁵⁶²

Prompted by the case of a prisoner with a disability, the CPPD published a General Recommendation for the promotion and protection of the human rights and dignity of convicted persons with disabilities and respect for their physical and mental integrity while serving their sentences in penitentiary institutions and correctional homes.⁵⁶³

560 "Trenčevska: 'We jointly create and implement policies that will improve the quality of life of all persons with disabilities'", official website of the Ministry of Labour and Social Policy, April 29, 2022, <https://bit.ly/3UT06Yp>.

561 "MLSP announces measures for children and persons with disabilities", Radio MOf, April 20, 2022, <https://www.radiomof.mk/mtsp-najavuva-merki-za-decata-i-licata-so-poprechenost/>.

562 "CPP: 'Four general recommendations to institutions to eliminate systemic discrimination against persons with disabilities'", official website of the Commission for Prevention and Protection from Discrimination, December 3, 2021, <https://bit.ly/3USbZzp>.

563 Commission for Prevention and Protection against Discrimination, "General Recommendation for the Promotion and Protection of the Human Rights and Dignity of Convicted Persons with Disabilities and Respect for Their Physical and Mental Integrity While Serving Their Sentences in Penitentiary Institutions and Correctional Facilities", official website of the Commission for Prevention and Protection against Discrimination, December 3, 2021, <https://bit.ly/3WXz0YC>.

The government passed a Decree on the right of persons with disabilities to be exempted from paying participation fees for studies.⁵⁶⁴ In particular, the Government allowed all persons with disabilities who enrol in the first, second or third cycle of studies at public higher education institutions to be exempted from participation. In addition, persons with the status of children without parents and parental care, unemployed parents of children and persons with the status of military disabled are also exempted from paying participation.⁵⁶⁵

The club for youth issues and policies at the Parliament held a meeting with young people with disabilities, which was attended by young activists, representatives of several civic organizations and high school students, where they discussed the provision of more accessible infrastructure, access to public services and education, recognition of the sign language, available literature for visually impaired students, availability of orthopaedic aids and health services.⁵⁶⁶

On May 12, the UNICEF representative office and the organization “Open the windows” in North Macedonia promoted the implementation of the digital application and assistive technology tool, “Cboard”, created to help children with communication difficulties and disorders⁵⁶⁷ in speech so that they can communicate and express their needs, feelings and thoughts.⁵⁶⁸

In June, the UN launched the joint program “From Knowledge and Inclusion – to Empowerment and Participation” to improve the capacity of organizations of persons with disabilities, the Government, service providers and UN agencies, thus jointly contributing to the successful implementation of The UN Convention on the Rights of Persons with Disabilities.⁵⁶⁹ The goal of the program is to mediate greater inclusion of persons with disabilities in national development and humanitarian plans, budgets, public policies and monitoring processes.

The “Menuvame” coalition announced that it plans to submit requests to the Delegation of the EU, UNICEF, OSCE, UN and the diplomatic corps in the country for support and mediation in realizing the rights to equality, a dignified life and inclusiveness of persons with

564 Decree on the right of persons with disabilities and other persons to be exempted from participation for studies, “Official Gazette of the Republic of North Macedonia”, no. 61/2022.

565 Ibid

566 “Meeting of young people with disabilities with Youth Affairs Club”, Janaki Zna, 20 April 2022, <https://bit.ly/3hG02Pa>.

567 A free and open source application that can be used online or via an Android mobile device or tablet to help children and adults with a range of speech and language disorders and facilitate their communication using symbols, images and text-to-speech. On this occasion, the Minister of Labour and Social Policy confirmed the continuous commitment of MLSP to the improvement of the child protection system, in order to provide all children, regardless of their abilities, the environment they come from, as well as their education and family, to receive comprehensive support for the development of their full potential.

568 “The ‘Cboard’ application promoted to advance the inclusion of children with disabilities”, Meta. mk, May 12, 2022, <https://meta.mk/promovirana-aplika-cijata-si-bord-za-unapreduvanje-na-inkluzivnost-na-decata-so-poprechenost/>.

569 “The UN launched a joint program to overcome inequality and the exclusion of persons with disabilities”, Radio MOF, June 22, 2022, <https://bit.ly/3EuSLur>.

disabilities in public life. They are taking this step in order to acquaint the EU with the non-respect of the basic rights of persons with disabilities, because the negotiations with the Government regarding their requests did not yield results. The coalition demands an increase in the disability allowance from 7,100 denars and the child allowance from 5,100 denars by 35 percent, according to the average net salary in the country, then they demand a reduction of the age limit from 26 to 18 years, they demand that a register of persons with disabilities be created, and aids for children and visually impaired people, sugar and blood pressure meters and thermometers should be charged to the Fund.⁵⁷⁰ In response to these statements, the MLSP informs the public that it is planned to increase the right to a special allowance by 15% for all three categories of beneficiaries of this right, and the amendments to the Law on the Protection of Children are in parliamentary procedure and funds have been provided for this increase with the rebalancing of the budget. In addition, an amendment to the Law on Social Protection was submitted, which supplements the criteria for using personal assistance, i.e. supplementing with combined disability, as well as reducing the age limit for the right to permanent compensation for parents who are up to the age of 26. took care of a child with a disability without being cared for in an institution, that is, the reduction is from 62 to 60 years for women and from 64 to 62 years for men. In addition, the preparation of the new National Strategy for Persons with Disabilities 2022-2027 has begun and MLSP remains in constant communication with citizens' associations for the protection of the rights of persons with disabilities, with national disability organizations, with parent organizations, with the aim, within the framework of the possibilities of the Budget, to respond to the needs and requests of children and persons with disabilities.⁵⁷¹

At the end of July, the Prime Minister announced that after the increase of social assistance, by an average of 300% and the introduction of new allowances for persons with disabilities, funds for the advancement of the rights of persons with disabilities are foreseen in the rebalancing of the Budget. He emphasized that this government has made reforms like no other before and has increased budgets in the social sphere, has introduced programs and activities that provide support to people with disabilities, the elderly and all those who need more support from the state.⁵⁷²

570 "The state has been lying to people with disabilities for a year and is not realizing the rights of people with disabilities," say the Coalition "We are changing" and they are asking for help from the EU", I want to say, July 27, 2022, <https://bit.ly/3tu065i>.

571 "MLSP: 'We are building a system that is fair and adapted to persons with disabilities'", official website of the Government of the Republic of North Macedonia, July 28, 2022, <https://vlada.mk/node/29717>.

572 "Kovachevski: 'We provide equal opportunities for people with disabilities and at social risk, with more resources, care and quality services'", official website of the Government of the Republic of North Macedonia, July 28, 2022, <https://vlada.mk/node/29725>.

The petition by parents against an 11-year-old child with Down's syndrome to be separated from the class, where she studied until then, explaining that she was "aggressive", a case that was first reported on social networks, initially by the girl's father, was greeted by the public with violent reactions. KZSD immediately reacted to the case, opening an ex officio case of segregation and underlined that it will supervise the school, as well as that it is already in contact with the mayor of Gostivar and the director of the school.⁵⁷³The case is also being investigated by the Ombudsman, who opened a case on his own initiative.⁵⁷⁴After certain harsh reactions, the Minister of Labour and Social Policy and the Minister of Education and Science had a meeting with the parents, which was attended by the director of the Centre for Social Work - Gostivar and the director of the school. After the meeting, the minister emphasized that the problems have been overcome and that the girl has been returned to school.⁵⁷⁵On the same day, the State Educational Inspectorate, after an inspection of the school, announced that all persons involved in the educational process were instructed to adopt appropriate measures and undertake appropriate activities, i.e. to adopt specially prepared programs for inclusion in the educational process.⁵⁷⁶

Direct discrimination against persons with disabilities in exercising their right to vote committed by the Government of the Republic of North Macedonia and the State Election Commission was determined by a verdict of the Basic Civil Court in Skopje at the beginning of September. The court determined that the two institutions, by failing to take actions to adapt the infrastructure and space to some of the polling stations and in them, and by violating the principle of appropriate adaptation, prevented persons with disabilities from exercising their right to vote, and thereby hindered their active participation in the political life of the state. Therefore, the Court obliged these institutions to provide the following conditions until the announcement of the next elections:

- accessibility, flat roads, parking spaces properly marked with a high-contrast colour, placement of signs and numbers in a visible place in a larger format with a high contrast or sound signalling to the polling stations;
- accessibility to the polling stations by placing handrails along the stairs and walls, installing access ramps, handrails, wider entrances, an accessible elevator or platforms that are level and with stairs;

573 "Opened ex officio procedure for the segregation of fourth grader Embla from Gostivar", official website of the Commission for Prevention and Protection from Discrimination, February 3, 2022, <https://bit.ly/3ESXtgP>.

574 "The case of the student Embla from Gostivar will be investigated by the Ombudsman", 360 degrees, February 3, 2022, <https://bit.ly/3KhLK00>.

575 "Trenčevska: 'Inclusion gives children with disabilities a chance to contribute to society in the future'", official website of the Ministry of Labor and Social Policy, 3 February 2022, <https://bit.ly/38DvIAL>.

576 "Identified omissions in the case of Embla from Gostivar", Focus, February 7, 2022, <https://bit.ly/3v4btD4>.

- accessibility in the polling station, its equal lighting, redistribution of furniture due to greater possibility of movement; installation of properly adapted voting screens and placement of the ballot box at an appropriate height for persons with physical disabilities.⁵⁷⁷

At the beginning of the new school year, the HCHR concluded that the inclusion of children with disabilities in the educational system is a neglected process, which caused enormous damage to children and their parents. Although secondary education is compulsory, this school year also began without educational assistants in secondary schools. The relevant legal amendments have not been adopted, and the Ministry of Education and Culture has no information about the number of high school students who would need educational assistants, which makes it evident that the inclusion of children with disabilities in the education system, as the most vulnerable group in society, is not among the priorities of the competent institutions.⁵⁷⁸

The Ombudsman cited the lack of educational assistants for children with disabilities as one of the reasons for the reactions that parents and students submitted to him at the beginning of the 2022-2023 school year, due to which he concluded that the Ministry of Education has become one of the most dysfunctional ministries in the country.⁵⁷⁹

Following a statement made by the director of the Crisis Management Centre, the CPPD determined harassment based on disability towards persons with disabilities. Taking into account that the statement was given by an appointed person from the Government of the Republic of North Macedonia, on television that is broadcast throughout the territory of the Republic, it covers a large number of people, and the show is still available and may continue to cause prolonged disturbance on the basis of disability among persons with disabilities, CPPD initiated a procedure for protection against discrimination for potential harassment on the basis of disability against persons with disabilities in the area of the media. A recommendation was sent to the director to issue a public apology to the persons with disabilities for the given statement, no later than 30 days from the day of receipt of the opinion and to inform the CPPD about it, to which the director replied that he acted on the recommendation within the given period and sent a public apology to persons with disabilities.⁵⁸⁰

577 "The government and the State Election Commission committed direct discrimination against persons with disabilities when exercising their right to vote", official website of the Helsinki Committee for Human Rights of the Republic of North Macedonia, September 1, 2022, <https://bit.ly/3hHEqSk>.

578 "The irresponsibility of the authorities undermines the inclusion of children with disabilities", official website of the Helsinki Committee for Human Rights of the Republic of North Macedonia, September 6, 2022, <https://mhc.org.mk/news/neodgovomosta-na-nadlezhnite-ja-minira-inkluzijata-na-decata-so-poprechenost/>.

579 "Department of Education becoming most problematic and dysfunctional department, Ombudsman Siebery publishes all parent and student complaints," *I Want to Say*, 30 Sept. 2022, <https://bit.ly/3NstqUK>.

580 "Identified harassment of persons with disabilities by the director of the Crisis Management Centre," official website of the Commission for Prevention and Protection from Discrimination, September 14, 2022, <https://bit.ly/3E4yXwl>.

GENDER

On 20 September, the draft Law on gender equality was published on ENER. The purpose of the law, according to the MLSP, is to ensure the realization of full gender equality in all spheres of public and private life by strengthening the position and status of women in society and enabling equal opportunities for the realization of all rights through the promotion of gender equality.⁵⁸¹

With the adoption of the Law on prevention and protection against violence against women and domestic violence, the competences of the local self-government in this field were determined.⁵⁸² In this context, the opening of the Regional Advisory Centre for help and support to women and children victims of gender-based and family violence in the Pelagonja region was announced.⁵⁸³

Gender budgeting directly affects the advancement of gender equality in the country, but although gender budgeting in North Macedonia is provided for in the Law on Equal Opportunities for Women and Men and the Strategy for Gender Responsive Budgeting exists as a national document from 2012, it is still not regulated in the Budget Law. The final report of the performance audit on the topic "Effectiveness of the measures of the Government of the Republic of North Macedonia for gender equality and appropriate gender budget initiatives", prepared by the State Audit Office, showed that thanks to the non-definition of the terms "gender budget statement/initiative", "gender indicators" and "gender goals" in the Law on Budgets, it is impossible to do a gender analysis of budget programs and subprograms. The measures and activities taken by the competent institutions are not enough to ensure the effective establishment of the concept of equal opportunities for women and men in the process of creating and implementing policies, monitoring the fulfilment of the goals of gender-responsive budgeting in all phases of the creation cycle policies: problem detection and assessment, budgeting, implementation, monitoring and evaluation and the fulfilment of the objectives of the Agenda for Sustainable Development 2020-2030.⁵⁸⁴

However, a step in the right direction was taken at the end of July, when the Strategy for Gender Equality 2022-2027 was adopted, establishing a comprehensive framework for further actions to advance gender equality and support women. By adopting this

581 "Equality and elimination of stereotypes - a new law on gender equality is being prepared", Akademik, September 20, 2022, <https://akademik.mk/ednakvost-i-eliminirane-na-stereotipite-vo-podgotovka-nov-zakon-za-rodova-ednakvost/>.

582 Law on prevention and protection from violence against women and domestic violence, "Official Gazette of the Republic of North Macedonia", no. 24/2021, Article 21.

583 "Bitola receives a Regional Advisory Centre for help and support of women and children victims of gender-based and domestic violence", official website of the Municipality of Bitola, March 7, 2022, <https://bit.ly/3DQgun5>.

584 State Audit Office, "Final report on the performed performance audit 'Effectiveness of the measures of the Government of the Republic of North Macedonia for gender equality and appropriate gender budget initiatives'", June 2022, https://dzt.mk/sites/default/files/2022-07/RU_Efektivnost_merki_Vlada_rodova_ednakvost_11_07_2022_F.pdf.

strategy, the Republic of North Macedonia strives to improve the state of gender equality in accordance with international standards, recommendations and obligations, recognizing that gender equality is one of the key aspects for the prosperity of the entire society. In addition, by accepting the amendments to the draft law on budgets, it will be possible to include the gender perspective in the budgets of the state administration bodies, which will respond to the needs of all citizens.⁵⁸⁵

The 2022 Balkan Public Opinion Barometer showed that violence against women remains a major cause of concern in the countries of the Balkans, followed by prejudice against gender roles in society and pay inequality between men and women. However, only in the Republic of North Macedonia, less than half of the respondents (39%) answered that violence against women is an urgent issue. On the other hand, respondents from Albania (36%) and North Macedonia (31%) mostly emphasized the prejudices towards the role of women in society.⁵⁸⁶

Although a specialized centre for psychological counselling of women victims of domestic and gender-based violence was opened in the Polog region in December last year within the framework of the National Network against Violence against Women and Domestic Violence, this region remains the only one in North Macedonia that does not have a single centre for care or at least an intervention centre for women victims of domestic violence.⁵⁸⁷

At the beginning of July, the organization “Hera” announced that four new gynaecological offices were opened in health facilities in four Macedonian cities: Makedonski Brod, Resen, Radovish and Delchevo. The clinics are the result of the collaboration between “Hera” and the Centre for Family Medicine with the support of public health and offer free reproductive health services for women from these regions, especially for women with disabilities, Roma women and women from rural areas.⁵⁸⁸

On 28 May, the Day of Menstrual Hygiene, the activists of the Regional Network for Gender Responsive Budgeting, the Platform for Gender Equality and “Movement for Menstrual Cycle from Skopje” protested in front of the Ministry of Finance and submitted requests to reduce the VAT from 18 to 5% for women’s hygiene products in order to reduce the selling price and encourage the use of menstrual cups by subsidizing the price.⁵⁸⁹

585 “MLSP: ‘The Strategy for Gender Equality 2022-2027 has been approved’”, official website of the Ministry of Labour and Social Policy, July 27, 2022, <https://bit.ly/3hvxlnQ>.

586 ACIT Center and EPIC Institute, “BALKAN BAROMETER – 2022 Public Opinion Analytical report”, June 2022, <https://www.rcc.int/balkanbarometer/publications>.

587 “There is not a single shelter centre in the Polog region, women – victims of violence are taken care of in other cities”, Radio MOF, April 25, 2022, <https://bit.ly/3trwlhN>.

588 “HERA: Four new gynaecological offices were opened in Makedonski Brod, Resen, Radovish and Delchevo”, Radio MOF, July 4, 2022, <https://bit.ly/3UySWu9>.

589 “Menstrual hygiene is not a privilege!” – Protest before the Ministry of Finance”, official website of the Helsinki Committee for Human Rights of the Republic of North Macedonia, May 30, 2022, <https://mhc.org.mk/news/rodova-ednakvost/menstrualnata-higijena-ne-e-privilegija-protest-pred-ministerstvoto-za-finansii/>.

In mid-June, the Ombudsman supported the campaign of the “Diversium” organization to combat online violence against women, the aim of which is to support women victims of this type of violence and to raise awareness among victims that they are not obliged to suffer violence and that they should report it. The final goal of the campaign is to submit an initiative to the Parliament, in which it is proposed to treat online violence as a special type of violence in the Criminal Code and to provide for criminal liability for the perpetrators.⁵⁹⁰

At a panel discussion organized by the HCHR in mid-July, it was highlighted that during 2021, out of 33 cases of gender-based violence, 26 were victims of domestic violence, two of sexual violence, three of rape and two of sexual harassment. The analysis of these cases showed unprofessionalism, contradiction and inequality in the actions of some social work centres, as well as institutional failure to act in cases of violence committed by a former partner, failure to act by the public prosecutor’s office following a criminal complaint for committed gender-based violence, and failure to act by the Ministry of the Interior after domestic violence reports received.⁵⁹¹

Similar statistics show the Annual report on the efficiency of the legal protection of human rights in the Republic of North Macedonia for 2021, published by the Macedonian Young Lawyers Association : the daily bulletins of the Ministry of the Interior showed that during the previous year a total of 29 crimes against sexual freedom were registered and gender morality, and of the total number, 11 reports refer to female victims.⁵⁹²

Acting on a complaint filed against the authors and reviewers of the Sociology textbook for the third year of reformed high school education and against the Ministry of Education and Science (MES), the CPPD found prolonged and multiple harassment based on gender, sexual orientation, gender identity, social origin and affiliation of a marginalized group and recommended to the MES within six months at the latest to withdraw the disputed textbook from use and in the future not to approve the use of textbooks whose content causes harassment on any discriminatory basis from the Law on Prevention and Protection against Discrimination and ratified international contracts.⁵⁹³ The Ministry of Education and Science established a commission to withdraw the controversial textbook.⁵⁹⁴

590 “The Ombudsman supported the campaign to combat online violence against women”, official website of the Ombudsman of the Republic of North Macedonia , June 13, 2022, <https://bit.ly/3TAxeok>.

591 “HCHR: Unprofessional handling of 33 cases of gender-based violence in 2021”, Radio MOF, July 13, 2022, <https://www.radiomof.mk/helsinshki-neprofesionalno-potapuvanje-po-33-sluchai-na-rodovo-bazarno-nasilstvo-vo-2021/>.

592 Macedonian Young Lawyers Association, “Annual Report on the Efficiency of Legal Protection of Human Rights in the Republic of North Macedonia - 2021”, December 2021, <https://bit.ly/3TXsOsU>.

593 “CPPD found prolonged and repeated harassment in the sociology textbook for the third year”, official website of the Commission for Prevention and Protection against Discrimination, December 28, 2021, <https://bit.ly/3E7C9r7>.

594 “MES withdraws the controversial second-year sociology textbook”, Sitel TV , August 9, 2022, <https://sitel.com.mk/mon-go-povlekuva-sporniot-ucbebnik-po-sociologija-za-vtora-godina>.

In March 2022, the “Public Room” case⁵⁹⁵ was settled in the first instance, with the perpetrators receiving a four-year prison sentence.⁵⁹⁶ Civil organizations expressed deep dissatisfaction with the way the case was resolved by the court, which determined a prison sentence twice less than the legally established minimum sentence.⁵⁹⁷ In June, in connection with the “Public Room” case, a new verdict was passed that sanctioned a person who shared explicit photos of the victim. Although this verdict is a positive signal from the courts, the amendments to the CC that were announced as a solution for this type of cases are still stuck in the Parliament.⁵⁹⁸

After the reported beating and rape of a woman from Veles and the stopping of the proceedings by the Veles Public Prosecutor’s Office, because there was no evidence that the accused committed the rape, the HCHR and the MYLA reacted to the manner of handling the case by the competent authorities.⁵⁹⁹ Both organizations emphasized that the entire investigative and pre-investigative procedure was accompanied by many inconsistencies: the victim was not treated with special attention and care by the authorities participating in the procedure, she had to retell the situation in which she was attacked several times, and when the polygraph was taken testing she was under the influence of drugs. All this in general causes double victimization for the victim according to these organizations.⁶⁰⁰ The National Network Against Violence Against Women and Domestic Violence had a reaction in August, on the occasion of cases of domestic violence in Gostivar.^{601, 602} Negotino^{603, 604} and Strumica^{605, 606}, who raised the question of how the state protects women who suffer domestic and gender-based violence on a daily basis. Namely, the civil society organizations that are part of the Network reacted

595 The private group on the Telegram application, in which photos and personal data of women with pornographic connotations were published, was discovered in early 2021. Publicly, the case became known as the “Public Room”, when victims of social media abuse raised the alarm about the abuse by social media followers, the humiliating experience for them and the inaction of the police.

596 “The defendants for Javna Soba’ received four years in prison each”, Radio MOF, March 11, 2022, <https://www.radiomof.mk/obvinetite-za-javna-soba-dobi-ja-po-chetiri-godini-zatvor/>.

597 Criminal Code, “Official Gazette of the Republic of North Macedonia”, no. 37/1996, Article 193.

598 “Bumpy Road to Justice for ‘Public Room’ Victims”, Radio Free Europe, June 9, 2022, <https://bit.ly/3WZmVx0>.

599 “Reconstruction of the actions of the law enforcement authorities in the case of rape”, 360 degrees, April 5, 2022, <https://bit.ly/3hlaA0h>.

600 Ibid

601 A 27-year-old woman from Gostivar, mother of a minor child, has been suffering domestic violence from her ex-partner for five years, despite the fact that she properly reports it to the competent institutions. There are six active criminal proceedings against the perpetrator, who is a police officer, but the path to justice for the victim was unsuccessful, due to the conscious decision of the court to protect the perpetrator. Although the First Instance Court of Gostivar imposed low sentences, inappropriate for the crime committed, another problem is that those decisions are repeatedly overturned by the Appellate Court of Gostivar, so the perpetrator remains unpunished, which contributes to secondary victimization for people who report domestic violence.

602 “The Gostivar Appellate Court should urgently issue a court verdict that will protect Elena Jovicoska and convict the perpetrator of domestic violence”, official website of the National Network against Violence against Women and Domestic Violence, August 5, 2022, <https://bit.ly/3GnCuBj>.

603 After an argument, the man who lived in an extramarital union with a woman from Negotino committed domestic violence against her, hitting her several times on the head and then pushing her towards the bathroom, after which the victim fell and suffered serious injuries, from which she fell into a coma and later died.

604 “The woman who was beaten by the non-Gothian with whom she was in an extramarital union died, he will be prosecuted for a more serious crime”, Sloboden Pечат, August 7, 2022, <https://bit.ly/3hDyeLc>.

605 A 35-year-old man from Strumica was arrested for domestic violence after he attacked his wife with a sharp object and injured their minor son. “Another case of domestic violence in Strumica”, MKD, August 7, 2022, <https://www.mkd.mk/cma-hronika/ushte-eden-sluchaj-na-semejno-nasilstvo-vo-strumica>.

606 “A man from Strumica attacked his wife with a sharp object, also injured the minor child”, Faktor, August 7, 2022, <https://faktor.mk/strumichanec-ja-napadnal-soprugata-so-ostar-predmet-go-povredil-i-maloletnoto-dete>.

to the lack of action by the competent institutions in relation to the victims, despite the fact that the Republic of North Macedonia ratified the Istanbul Convention and passed a new Law on the prevention and protection of violence against women and domestic violence at the beginning on 2021. The femicide of the 46-year-old woman from Negotino adds to the devastating statistics, according to which more than 80% of the victims in the country did not previously report violence to the competent institutions.⁶⁰⁷ Non-reporting of violence and inadequate handling by institutions in cases of family and gender-based violence directly increase the likelihood that violence culminates in murder, and on the other hand, the high degree of mistrust in the actions of competent institutions, including the police, social work centres and the judiciary, significantly influences citizens to be demotivated to report the violence. According to the Network, the overall system for the prevention and prevention of violence does not work and seriously calls into question the purpose of the Istanbul Convention and the Law on Prevention and Protection against Violence against Women and Domestic Violence. This reaction was caused by another case of institutional inaction, this time by the Inter-Municipal Centre for Social Affairs of the City of Skopje in a specific case, where even after four months had passed since the report submitted by the victim, no measures of protection against the psychological domestic violence perpetrated by her husband, in the form of life threats, harassing messages, stalking, stress and daily pressures.⁶⁰⁸

The HCHR, on behalf of a girl who requested legal assistance, submitted a complaint to the MYLA against a television host for sexual harassment based on sex and gender in the field of public information and the media. Acting on this petition, MYLA issued an opinion establishing sexual harassment in an episode of his show, through sexual objectification of the girl's appearance, thereby violating her dignity and creating a threatening, hostile and humiliating environment. Then, MYLA gave a recommendation to remove the specific episode with the above content and publicly apologize on his show within 30 days after receiving the opinion and recommendation, as well as to refrain from showing disturbing content in the future.⁶⁰⁹

607 "Femicides are a product of society's silence and mistrust in institutions", official website of the Helsinki Committee for Human Rights of the Republic of Macedonia, August 8, 2022, <https://bit.ly/3hCdTWG>.

608 "National Network Against Violence: Does the State Really Protect Women Victims of Domestic and Gender-Based Violence," 24 Vesti, 15 Aug. 2022, <https://bit.ly/3UGaFjx>.

609 "The Helsinki Committee for Human Rights in June 2022, on behalf of a girl who requested legal assistance, submitted a complaint to the Commission for Prevention and Protection from Discrimination against Sergej Varoshlia for sexual harassment based on sex and gender in the field of public information and media", official Facebook page of the Helsinki Committee for Human Rights of the Republic of North Macedonia, September 22, 2022, <https://bit.ly/3GcX7aV>.

HATE SPEECH

The expected amendments to the CC in hate crimes also foresee the hate crime “on the basis of a law or a ratified international agreement”, due to the fight against hate speech which is among the main segments of the bilateral protocol recently signed by Bulgaria and North Macedonia. With these changes, hate speech will not pass into the competence of diplomacy, but only the competent institutions will evaluate what is hate speech and in such a case, they will act according to the law and this act should not be associated only with Bulgaria, as they explained. the Minister of Foreign Affairs and the Minister of Justice.⁶¹⁰

In 2021, the HCHR recorded a high number of cases of hate speech on social media - 877 reports on the portal www.govornaomraza.mk, of which 34% were cases of hate speech based on ethnicity, 33% were reported on the basis of sexual orientation and gender identity, and a fifth of the reports referred to hate speech related to political affiliation.⁶¹¹

With a follow-up report of online hate speech against Roma, conducted by the Institute for Research and Policy Analysis “Romalytico” and the Regional Youth Association for Roma Education, it was⁶¹² determined that most often online hate speech against Roma occurs on “Facebook”. It is recommended that the institutions familiarize themselves with the term “antigypsyism”, as a specific form of racism against the Roma. This term has been officially accepted by the Government in the new Strategy for the Roma.⁶¹³

The temporary stay of members of the Jewish religious group Lev Tahor, who arrived in North Macedonia from Bosnia and Herzegovina in February 2022, caused a series of incidents and increased hate speech. Although the Ministry of the Interior, i.e., the National Security Agency, explained that this group has a regulated temporary presence in the country⁶¹⁴ and that it does not pose any danger to the safety of citizens in the country, this did not prevent the outbreak of hatred, which threatened the safety of the members of this group. The pressure faced by members of this religious group

610 “Hate speech will be judged only in the most severe forms”, Sloboden Pecat, July 26, 2022, <https://www.slobodenpecat.mk/govorot-na-omraza-kje-se-sudisamo-pri-najteshkite-formi/>.

611 Helsinki Committee for Human Rights of the Republic of North Macedonia, “Annual report on the situation with human rights in 2021”, June 20, 2022, <https://bit.ly/300Sy5s>.

612 Regional Roma Youth Education Association – RROMA and the Institute for Research and Policy Analysis “Romalytico”, “Macedonian report of monitoring online hate speech against Roma”, December 2021, <https://bit.ly/3DMSMb4>.

613 “The conference ‘Hate speech against the Roma community in the online sphere as part of anti-Gypsyism’ was held”, official website of the Institute for Research and Policy Analysis “Romalytico”, February 18, 2022, <https://romalytico.org/index.php/en/vesti/93-news/press-releases/471-konferencija-govor-omraza-kon-romi-mediumi>.

614 “Members of Lev Tahor have a temporary stay - the government called for tolerance”, Radio Free Europe, February 16, 2022, <https://bit.ly/3U13i5m>.

in Kumanovo continued in Skopje,⁶¹⁵ where several hotels refused to accommodate the group,⁶¹⁶ and members of the group publicly complained that the police were more of a hindrance than a help.⁶¹⁷

At the beginning of April, a two-day expert meeting of the equality bodies of Albania, Montenegro and North Macedonia was held in connection with the fight against hate speech. The members of MYLA represented North Macedonia, discussed the challenges faced by the countries of the Western Balkans in the fight against hate speech and exchanged positive practices with other countries for the implementation of European standards. Thus, it was emphasized the importance of forming broad alliances in the fight against hate speech and raising the awareness of the population at the national level, as well as the need to strengthen cooperation with the courts on the topic of discrimination with an emphasis on hate speech as a global problem and a threat to human rights.⁶¹⁸

In mid-July, a colourful schoolyard bench painted in colours resembling the colours of the rainbow sparked online hate speech and demands that it be immediately repainted, prompting the person named “the president of the LGBT community from Stojakovo” was accused of painting the bench, making it the target of online hate speech and calls for physical assault. The headmistress of the school confirmed that this person is not in any way connected to the school desk, and it was painted as part of the renovation of the school in December 2021 and the colours were not at all intended to provoke the general public.⁶¹⁹

Hate Crimes

In the course of 2021, around 80 events related to hate crime were recorded by the HCHR, which is 20% less compared to the previous year. The largest number of them are related to the crime of destroying property and other people’s objects and causing hatred, discord and intolerance, and in addition, acts of violence, endangering security, robbery and bodily harm, serious threats and destruction of symbols were also observed. Most of the crimes are motivated by the political and ethnic affiliation of the victim, and other motives include religious affiliation, migrant status and sexual orientation.⁶²⁰

615 “The Jewish group from Kumanovo has been transferred to Skopje, the Ministry of the Interior appeals for tolerance”, Telma TV, February 15, 2022, <https://bit.ly/3zrCCD3>.

616 “Several hotels in Skopje refused to accept the Jewish group”, Factor, February 15, 2022, <https://bit.ly/3LHkww4>.

617 “Xenophobia is not an incidental phenomenon in our society”, official website of the Helsinki Committee for Human Rights of the Republic of Macedonia, February 16, 2022, <https://bit.ly/35MN38C>.

618 “North Macedonia, Montenegro and Albania together against hate speech”, official website of the Commission for Prevention and Protection from Discrimination, April 7, 2022, <https://bit.ly/3Ecpbse>.

619 “A colourful school desk in Stojakovo caused insults to an LGBTI+ activist”, Radio MOF, July 13, 2022, <https://www.radiomof.mk/uchilishna-sharena-klupa-vo-stojakovo-predizvika-navredi-kon-lgbti-aktivist/>.

620 Helsinki Committee for Human Rights of the Republic of North Macedonia, “Annual report on the situation with human rights in 2021”, June 20, 2022, <https://bit.ly/300Sy5s>.

On May 7, the president of “LGBTI United” was physically attacked at the city cemetery in Tetovo⁶²¹. The National Network Against Homophobia and Transphobia insisted on immediate and thorough law enforcement action and a full resolution of this case.⁶²² Attacks on the LGBTI United president continued throughout the year, with the next attack in early August in Strumica, where he was with LGBTI United volunteers at a public event to promote their organization. Namely, an adult man started directly threatening and insulting him, and then inflicted physical injuries on him, while the volunteers ran away in fear. The National Network Against Homophobia and Transphobia condemned the attack and asked the competent institutions to urgently confirm the identity and sanction the perpetrator of this, in their opinion, act of hate.⁶²³ After the repeated attacks against him, the president of “LGBTI United” held a press conference in front of the Government, calling on the institutions to urgently identify the persons responsible for the physical attacks against him, and if this did not happen, he stated that he would camp in the Government building, because he does not feel safe every time he goes out of the house.⁶²⁴

621 “Activist Bekim Asani was verbally and physically attacked in front of his mother”, official website of the association “LGBTI United” - Tetovo, May 8, 2022, <https://bit.ly/3ExJX7b>.

622 “NMHT: ‘Urgently find the attackers of Asani, institutions should not ignore acts of hate’”, official website of the Helsinki Committee for Human Rights of the Republic of Macedonia, May 9, 2022, <https://mhc.org.mk/news/nmht-itno-da-se-pronajdat-napagachite-na-asani-instituciite-da-ne-gignorira-delata-od-om-raza/>.

623 “Activists demand an immediate reaction to the attack on Asani by ‘LGBTI United’”, Radio MOF, August 10, 2022, <https://www.radiomof.mk/aktivistite-baraat-it-na-reakcija-za-napadot-na-asani-od-lgbti-junajted/>.

624 “‘If the people who attacked me are not punished, I will set up a tent in the Government to be safe,’ says LGBTI activist Asani”, Radio MOF, September 12, 2022, <https://bit.ly/3AiwMUZ>.

LGBTI+

The proposal for amendments to the Law on Birth Records, which envisages a process for legal recognition of gender, is listed as a key event from 2021 in the Fundamental Rights Report of the European Fundamental Rights Agency for 2022.⁶²⁵ However, the Government withdrew the draft law to amend the Law on Civil Registry,⁶²⁶ one day before it was reviewed by the Commission for Political System and Inter-Community Relations. For a year now, MPs from both the position and the opposition have kept the draft law blocked in the parliamentary procedure. The reason given by the Government for withdrawing the law is that it needs to be finalized.⁶²⁷ The National Network for Combating Homophobia and Transphobia strongly condemned the Government's decision to withdraw the law. According to the Network, the Government is not fulfilling its obligation, which derives from the judgment of the European Court of Human Rights in the case of X against North Macedonia regarding the change of gender markers in the birth records.⁶²⁸

On 20 April, MEPs addressed the Government of North Macedonia with a letter regarding the need to protect the right of trans and non-binary persons for legal recognition of gender in the Law on Birth Records. They expressed their concern regarding the withdrawal of the civil registry bill and called on the Government to continue its efforts to address the issues highlighted by civil society organizations advocating for the rights of LGBTIQ persons, as well as to implement its obligations under European Convention on Human Rights.⁶²⁹

In November 2021, the cross-party group of LGBTI people in the assembly organized a roundtable on legal recognition of gender, during which for the first time trans people spoke in the assembly, sharing their life stories.⁶³⁰ The MPs, representatives of the institutions, civil organizations and the trans-community participated in the discussion and unanimously concluded that it is necessary to adopt the bill for amending and supplementing the Law on Civil Registry in the form in which it is proposed, and then to work on it consistent implementation.⁶³¹

625 European Union Agency for Fundamental Rights, "Franet National contribution to the Fundamental Rights Report 2022 NORTH MACEDONIA", June 8, 2022, https://fra.europa.eu/sites/default/files/fra_uploads/fundamental_rights_report_2022-north_macedonia_.pdf.

626 Electronic National Register of Regulations of the Republic of North Macedonia - ENER, "Proposal of the Law on Amendments and Supplements to the Law on Civil Registry", 19 November 2021, https://ener.gov.mk/default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=71555.

627 "Government bill on sex change with notarized statement withdrawn," TV 24, March 22, 2022, <https://bit.ly/3ra8FTQ>.

628 "The Network for Combating Homophobia and Transphobia Condemns the Decision to Withdraw the Proposal to Amend and Supplement the Law on Birth Records," March 22, 2022, <https://bit.ly/3TPa5Pq>.

629 "Letter: MEPs addressed the government of North Macedonia regarding the legal recognition of gender and the Law on Birth Records", official website of the Coalition "Sexual and Health Rights of Marginalized Communities" - "Margini", Skopje, April 21, 2022, <http://coalition.org.mk/archives/12152>.

630 European Union Agency for Fundamental Rights, "Franet National contribution to the Fundamental Rights Report 2022 NORTH MACEDONIA", June 8, 2022, https://fra.europa.eu/sites/default/files/fra_uploads/fundamental_rights_report_2022-north_macedonia_.pdf.

631 "Round table for legal recognition of gender in the Assembly of the Republic of North Macedonia", official website of the Coalition "Sexual and Health Rights of Marginalized Communities" - "Margini", Skopje, November 18, 2021, <http://coalition.org.mk/archives/11963>.

The Platform for Investigative Journalism and Analysis (PIJA) conducted an informal, anonymous survey of 45 people, most of whom were transgender people, as well as supporters of this community and concluded that the majority (78%) of trans people believe that the draft law on legal gender recognition will significantly improve their lives.⁶³²

ILGA-Europe's annual Rainbow Map and Index, which ranks the legal and political situation of LGBTI people in 49 European countries, reveals that the past 12 months have seen new developments in addressing gaps in LGBTI rights, as well as changing standards, giving countries a foundation on which to make progress. Compared to the report and the map from the previous year, North Macedonia remains in the very low 31st place (out of a total of 49), due to the non-acceptance of the amendments to the Law on Civil Registry, as well as to the National Action Plan for the Advancement of the Rights of LGBTI+ People.⁶³³

This year's "Skopje Pride Parade", organized by the National Network Against Homophobia and Transphobia, was held on June 25, under the motto "Come out for love! Dignity. Equality. Justice".⁶³⁴ The second part of the Skopje Pride Weekend was held from September 15 to 17, with the aim of creating a space for presenting and promoting non-normative forms of world education, and under the theme of ecstatic bodies, which treats relationships, affects, identity positions, body styles and sensibilities marked by the heteronormative, nationalist and neoliberal capitalist context, as queer, eccentric and unsuccessful.⁶³⁵

632 "Birth Record Law Would Improve Lives of Transgender People," PINA, 11 May 2022, <https://bit.ly/3Gi0I5Y>.

633 "A new dynamic has emerged in LGBTI rights across Europe, the rainbow map reveals", official website of the Coalition "Sexual and Health Rights of Marginalized Communities" - "Margini", Skopje, May 12, 2022, <http://coalition.org.mk/archives/12162>.

634 "Skopje Pride Parade 2022: On June 25, Come Out for Love!" Shkupi Prajd 2022: Mè 25 Qershori Dil Për Dashurine!", official website of the Helsinki Committee for Human Rights of the Republic of North Macedonia, June 11, 2022, <https://bit.ly/3E8qmcc>.

635 "The second part of the Skopje Pride Weekend in several locations from September 15 to 17", Radio MOF, September 11, 2022, [>](https://www.radiomof.mk/vtoriot-del-od-vikendot-na-gordosta-skopje-na-nekolku-lokaii-od-15-do-17-septemvri/).

ROMA

At the fourteenth session held on February 15, 2022,⁶³⁶ the Government of the Republic of North Macedonia reviewed and adopted the Strategy for Roma Inclusion 2022-2030.⁶³⁷ The new strategy is guided by the commitments of the Poznań Declaration for the countries of the Western Balkans for the integration of Roma within the EU enlargement process,⁶³⁸ and follows the directions provided in the EU Strategic Framework for Roma.⁶³⁹ FRA's 2022 Fundamental Rights Report states that the first draft of the Roma Strategy 2022-2030 was made public in December 2021, after which the Government opened a broad consultation process in May through which interested representatives of civil society organizations were invited to include with their proposals for measures and activities. CPPD participated in the preparatory meeting for the concept of the strategy, while all other state institutions could provide comments and proposals for the first draft of the Strategy according to the public call for consultations.⁶⁴⁰

The government reviewed and accepted the National Action Plan for the Protection, Promotion and Fulfilment of the Human Rights of Roma Women and Girls 2022-2024.⁶⁴¹ The strategic goal of the plan is the promotion of intersectional justice, that is, equal and fair access to rights, opportunities, resources and power in society, for Roma women and girls. Expected outcomes are: 1. Increased economic independence of Roma women; 2. Provision of conditions for acquisition and completion of formal education for Roma women and girls; 3. Improved effective protection of Roma women from any form of gender-based violence and family violence; 4. Strengthened access to justice for Roma women; 5. Strengthened access to health care for Roma women and 6. Increased participation in public and political life and cultivation of leadership among Roma women.⁶⁴²

In April 2022, CPPD published a general recommendation for the competent authorities of the local self-government to undertake activities for consistent monitoring of rezoning acts, with the aim of desegregation of Roma children, and a general rec-

636 <https://vlada.mk/node/27774>

637 Government of the Republic of North Macedonia, "Strategy for Roma Inclusion 2022-2030", <https://www.mtsp.gov.mk/content/pdf/2022/Strategija%20za%20inkluzija%20na%20Romite%202022-2030%2003-02-2022%20finalna%20verzija.pdf>.

638 Regional Council for Cooperation, "Declaration of the partners from the Western Balkans on the integration of Roma within the EU enlargement process", July 5, 2019, <https://bit.ly/3hz3iM4>.

639 European Commission, "Guidelines for the preparation of a National Strategic Framework for the Roma for the period after 2020 in the countries of the Western Balkans and Turkey", <https://bit.ly/3VW5o7e>.

640 European Union Agency for Fundamental Rights, "Franet National contribution to the Fundamental Rights Report 2022 NORTH MACEDONIA", June 8, 2022, https://fra.europa.eu/sites/default/files/fra_uploads/fundamental_rights_report_2022-_north_macedonia_.pdf.

641 Ministry of Labour and Social Policy, "National Action Plan for the Protection, Promotion and Fulfilment of the Human Rights of Roma Women and Girls 2022-2024", November 2021, <https://bit.ly/3hujr5p>.

642 Ibid

ommendation for municipalities and their regional public enterprises⁶⁴³ that operate communal activities, to ensure access to clean water to the entire territory where they are locally competent.⁶⁴⁴

In accordance with the above, a two-day meeting was held, which was attended by representatives of the Government, the Parliament, international and civil society organizations.⁶⁴⁵ The Minister of Labor and Social Policy presented projects and legal solutions aimed at achieving specific goals, especially in areas such as education, employment, housing and providing personal documents for people who do not have personal documents.⁶⁴⁶ The meeting also emphasized the preparations for the implementation of the green and digital agenda and ways of including the Roma in them.⁶⁴⁷

However, housing for the Roma remains an issue of concern. The HCHR reports that several Roma families face a return to social risk. Namely, they received a decision from the MLSP to leave the temporary residence in the Vizbegovo Reception Centre, without making plans for their further integration into society.⁶⁴⁸ The purpose of the temporary accommodation of the Roma from under Kale in the Reception Centre in Vizbegovo was to help them in their inclusion in the labour market, to provide them with social protection and health care, identification documents, then to include the children in the educational system and to find a permanent solution for their housing, with the ultimate goal of lifting them out of poverty. Their eviction during this period, without a housing assistance plan, at least in the period immediately after their eviction from the reception centre, will immediately return them to poverty. In addition, presenting the annual report for 2021, the Ombudsman emphasized that Roma families whose makeshift dwellings burned down in November 2021 in Gostivar are still without adequate accommodation.⁶⁴⁹ CPPD acted on a petition submitted by the European Roma Rights Centre in Brussels against segregation based on ethnicity⁶⁵⁰ and

643 Commission for Prevention and Protection from Discrimination, "General Recommendation", April 27, 2022, <https://bit.ly/3AkjB62>.

644 Ibid

645 "Trenčevska: Complete inclusion of the Roma in society is an obligation on which we work together", official website of the Ministry of Labor and Social Policy, February 24, 2022, <https://bit.ly/3r8AMmv>.

646 Inclusion of 400 Roma children in the process of pre-school education with free stay in kindergartens, 700 scholarships for Roma high school students every year, high rate of employment of Roma in the state and public administration, support for housing, in terms of legalization of their homes – all listed as fulfilled goals, which the Ministry worked on in the past period together with its partners.

647 Inclusion of Roma in the digital agenda by improving access to digital devices, digital literacy, support for Roma children in the field of education, the labour market in terms of acquiring and applying appropriate skills, as well as support for Roma entrepreneurs in the digitalization of their activities. In the context of the green agenda, the inclusion of the Roma in the circular economy, with the transformation of the systems for managing different types of waste and other resources and their inclusion in innovative models for renewable energy.

648 "Roma families face forced eviction from the reception centre in Vizbegovo", official website of the Helsinki Committee for Human Rights of the Republic of North Macedonia, March 30, 2022, <https://bit.ly/3r45dKD>.

649 Ombudsman of the Republic of North Macedonia, "Annual report on the degree of ensuring respect, promotion and protection of human freedoms and rights 2021", March 2022, <https://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Godisni%20izvestai/GI-2021/GI%20-2021.pdf>.

650 "A general recommendation was adopted for the desegregation of Roma children when enrolling in schools", official website of the Commission for Prevention and Protection from Discrimination, February 11, 2022, <https://bit.ly/3VOMOLO>.

issued a general recommendation⁶⁵¹ to local authorities, school principals, the Ministry of Education and Science and the State Education Inspectorate.

CPPD and the Institute for Research and Policy Analysis “Romalitiko” signed a memorandum of cooperation in order to promote, develop and continue cooperation for equality, promotion of human rights and elimination of all types of discrimination according to the common interests and goals of both organizations. In addition, the two organizations agreed to periodically exchange information regarding cases related to discrimination directed at the Roma ethnic community.⁶⁵²

The last survey of the Balkan Barometer recorded contradictory perceptions of the Macedonian respondents regarding the Roma community. Namely, from the Balkan countries, the Republic of North Macedonia has the highest percentage of unacceptability for respondents or their children to marry Roma (76%), and on the other hand, in North Macedonia it is most acceptable to invite a person from the Roma community to the home of respondents (68%).⁶⁵³

The ombudsman reacted to the non-implementation of the Law on unregistered persons in the birth register, noting that the state did not solve the problem of invisible persons, and does not issue birth certificates or birth certificates to their babies. This problem affects the Roma population in particular. In addition, none of the specific laws that regulate the right to education, health, labour rights, etc. are not in compliance with this law, so in practice, unregistered persons do not have these rights. This is the first time that the Government has accepted all the requests of the Ombudsman and he announced that he will monitor how the ministries will carry out their duties.⁶⁵⁴

CPPD published an opinion against a primary school in Bitola due to the segregation of Roma children through the school’s student enrolment practices, with the authorities having a six-month deadline to implement measures to abolish indirect discrimination against Roma children in the school. Namely, the parents of non-Roma students were able to enrol their children in schools outside the environment in which they live due to selective application of the law by the school. This resulted in the segregation of Roma students, as a large number of non-Roma children were allowed to transfer to schools in other areas, which is why the CPPD recommended to the directors of the

651 Commission for prevention and protection against discrimination, “Mislenje”, February 8, 2022, <https://bit.ly/3NR2hL3>.

652 “Signed memorandum of cooperation between CPPD and ‘Romalitiko’”, official website of the Commission for Prevention and Protection from Discrimination, April 14, 2022, <https://bit.ly/3twf7FD>.

653 ACIT Center and EPIC Institute, “BALKAN BAROMETER – 2022 Public Opinion Analytical report”, June 2022, <https://www.rcc.int/balkanbarometer/publications>.

654 “The state further disenfranchises babies from parents without identity and increases the number of new phantoms,” I want to say, July 26, 2022, <https://bit.ly/3TZFBK>.

schools in that area to enrol only those children who administratively belong to that school, and the Ministry of Education was instructed to establish stricter criteria for enrolling children in a school outside their region.⁶⁵⁵

The European Centre for Roma Rights (ECRR) informs that the local authorities in the municipalities of Prilep, Kichevo, Bitola and Kavadarci have received an order to provide access to clean water in the Roma settlements in the municipalities, following a petition submitted by the ECRR and a decision by the CPPD for direct discrimination against on the basis of race, skin colour, ethnicity, social origin and property status in the area of access to goods and services, because these settlements were not connected to the water network, despite the fact that Roma communities have been living there for a long time.⁶⁵⁶

655 "ECRR: CPPD ordered the primary school Gjorgji Sugarev to stop the segregation of Roma children", Radio MOF, August 17, 2022, <https://bit.ly/3EyVanV>.

656 "After discrimination determined by the CPPD, the local government in Prilep received an order to provide drinking water for the Roma settlements", Radio MOF, August 25, 2022, <https://bit.ly/3Gi9wdt>.

It is necessary to fully implement the measures provided for in the National Strategy for Equality and Non-Discrimination 2022-2026.

Full functionality of CPPD is needed: To solve the problem regarding the infrastructure and maintenance of the premises, to provide resources and funds for work, to insert an item in the budget for new employments.

The key is cooperation between CPPD, AJPP and the Judicial Council, with the aim of sensitizing the judiciary to the principle of non-discrimination.

It is necessary to adopt the new National Strategy for Persons with Disabilities of North Macedonia and consistent fulfilment of the measures provided for in it, in order to completely fulfil the requirements of persons with disabilities.

It is necessary to fulfil the duties given to the competent institutions in the judgment of the Basic Civil Court in Skopje, which established direct discrimination against persons with disabilities when exercising their right to vote.

Another problem that needs to be solved is the lack of educational assistants for children with disabilities, as this disrupts the process of inclusion of children with disabilities in the educational system and harms them and their parents.

It is necessary for the Parliament to pass without delay the Law on the payment of monetary compensation to victims of violent crimes, which, among other things, will protect the victims of gender-based violence.

Gender budgeting is provided for in the Law on Equal Opportunities for Women and Men, but it should also be regulated in the Law on Budgets.

It is necessary to fully implement the measures foreseen in the Gender Equality Strategy 2022-2027, in order to promote gender equality and support women.

It is necessary to pass the Law on Gender Equality, in order to achieve complete gender equality in all spheres of public and private life.

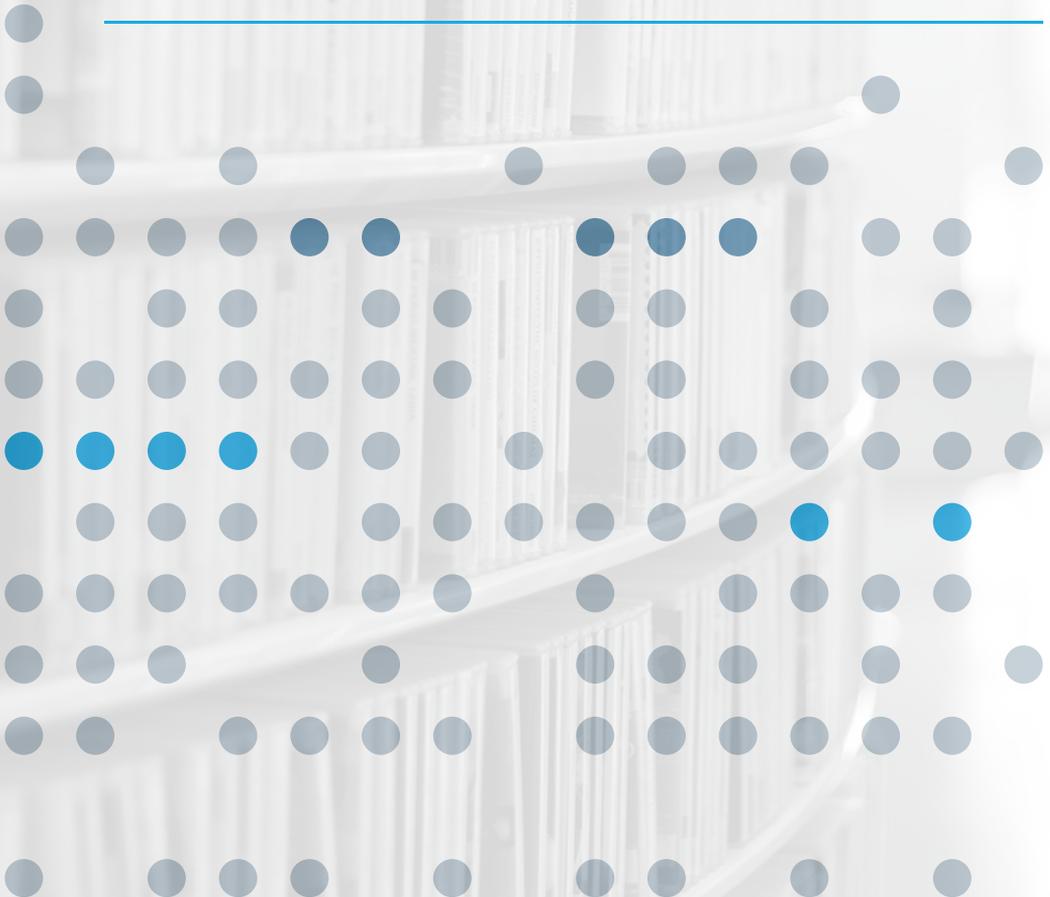
It is crucial to solve the registered problems of unprofessionalism, contradictions and inequality in the actions of social work centres, the institutional failure to act in cases of violence committed by a former partner, the failure of the public prosecutor's office to act on a criminal report for committed gender-based violence and the failure of the Ministry of the Interior to act on received reports of domestic violence.

It is necessary to urgently adopt the amendments and additions to the Law on Civil Registry, which foresees a process for legal recognition of gender and their consistent implementation.

It is necessary to fully implement the measures provided for in the Strategy for Roma Inclusion 2022-2030 and the National Action Plan for the Protection, Promotion and Fulfilment of the Human Rights of Roma Women and Girls 2022-2024.

There is still the problem of "invisible persons", which particularly affects the Roma, which is why the competent institutions should respect the requests of the Ombudsman and accordingly implement the Law on unregistered persons in the birth register.

Reference Literature



- MKD. "6 years in prison for Gruevski for the construction of the headquarters of VMRO-DPMNE, suspended sentence for Bojinovski", June 8, 2022. <https://www.mkd.mk/makedonija/sudstvo/presuda-za-talir-2>.
- "59 new prosecutors and judges - Gaber: By the end of the year there will be a new call", September 22, 2022. <https://mk.tv21.tv/59-novi-obviniteli-i-sudii-gaber-do-krajot-na-godinava-ke-ima-nov-povik/>.
- Radio MOF. "A Colorful School Bench in Stojakovo Triggered Insults to an LGBTI + Activist," July 13, 2022. <https://www.radiomof.mk/uchilishna-sharena-klupa-vo-stojakovo-predizvika-navredi-kon-lgbti-aktivist/>.
- Official Website of the State Commission for Prevention of Corruption. "A CORRUPTION-FREE SOCIETY AND INSTITUTIONS WITH STRONG INTEGRITY REQUIRES CONTINUOUS EDUCATION AND FULL COMMITMENT FROM EACH OF US," August 22, 2022. <https://dsk.mk/%d0%b7%d0%b0-%d0%be%d0%bf%d1%88%d1%82%d0%b5%d1%81%d1%82%d0%b2%d0%be-%d0%b1%d0%b5%d0%b7-%d0%ba%d0%be%d1%80%d1%83%d0%bf%d1%86%d0%b8%d1%98%d0%b0-%d0%b8-%d0%b8%d0%bd%d1%81%d1%82%d0%b8%d1%82%d1%83%d1%86-2/>.
- faktor.mk. "A Man from Strumica Attacked His Wife with a Sharp Object, Also Injured Their Minor Child," August 7, 2022. <https://faktor.mk/strumichanec-ja-napadnal-soprugata-so-ostar-predmet-go-povredil-i-maloletnoto-dete>.
- Alsat M. "A Prosecutor Has Deliberately Outdated 14 Court Cases," September 19, 2022. <https://alsat.mk/mk/obvinitel-namer-no-zastaril-14-sudski-predmeti/>.
- Radio MOF. "Activists Demand Immediate Response to LGBTI United's Asani Attack," 10 August 2022. <https://www.radiomof.mk/aktivistite-baraat-itna-reakcija-za-napadot-na-asani-od-lgbti-junajted/>.
- Radio MOF. "AJM: Alsat Journalist Team Prevented from Filming in Saraj," August 4, 2022. <https://www.radiomof.mk/znm-novinarska-ekipa-na-alsat-sprechena-da-snima-vo-saraj/>.
- Radio MOF. "AJM and SEMM: We Condemn Apasiev's Stigmatizing and Belittling Approach to Journalists," July 20, 2022. <https://www.radiomof.mk/znm-i-semm-go-osuduvame-stigmatizirachkiot-i-omalovazhuvacki-pristap-na-apasiev-kon-novinarite/>.
- znm.org.mk. "AJM: Broken Camera – the Safety of Journalists and Cameramen Must Be Guaranteed during the Protests," July 6, 2022. <https://www.radiomof.mk/znm-skrshena-kamera-bezbednosta-na-novinarite-i-snimatelite-mora-da-bide-garantirana-za-vreme-na-protestite/>.
- Radio MOF. "AJM: Condemnation for Threats and Insults against Journalist Ilinka Iljoska from Meta," August 16, 2022. <https://www.radiomof.mk/znm-osuda-za-zakanite-i-navredite-kon-novinkata-ilinka-iljoska-od-meta/>.
- Radio MOF. "AJM Demands an Immediate Reaction to the Death Threat Addressed to Journalist Furkan Saliu," July 9, 2022. <https://www.radiomof.mk/znm-bara-itna-reakcija-za-smrtnata-zakana-upatena-kon-novinarot-furkan-saliu/>.
- Radio MOF. "AJM Demands Responsibility for the Policemen Who Harassed Journalist Vicky Klincharova," August 12, 2022. <https://www.radiomof.mk/znm-bara-odgovornost-za-policajcite-koi-ja-voznemiruval-novinkata-viki-klincharova/>.
- MakPress.mk. "AJM: Harassed Journalists by Officials in Communal Hygiene Public Enterprise - the Ministry of the Interior Must React Immediately (ZNM: Harassed journalists by officials in Communal Hygiene - the Ministry of the Interior must react immediately)," 8 August 2022. [.makpress.mk/Home/PostDetails?PostId=494897](https://www.makpress.mk/Home/PostDetails?PostId=494897).

- Radio MOF. "AJM: The Mistake with Paid Campaigns in Private Media Must Not Be Repeated," July 13, 2022. <https://www.radiomof.mk/znm-ne-smee-da-se-povtori-greshkata-so-platenite-kampanji-vo-privatni-mediumi/>.
- Akademik. "Announcement from PPO: Acting on a Complaint from the Financial Police Office," August 1, 2022. <https://akademik.mk/soopshtenie-od-jo-postapuvane-po-pretstavka-od-upravata-za-finansiska-politsija/>.
- Pravdiko. "Association of Public Prosecutors to Ruskovska: No Public Prosecutor Should Be Considered Omnipotent," August 4, 2022. https://www.pravdiko.mk/zdruzhenie-na-javni-obviniteli-do-ruskovska-nitu-eden-javen-obvinitel-ne-smee-da-se-smeta-za-semoken/?fbclid=IwAR2wpbxNmh6sY6CofGuXivob_dYtmvVESseeAcb_yBjmnPrh5S-7dyqgRwdA&fs=e&s=cl.
- makfax news agency. "AVMU on the Incident in 'Communal Hygiene': Institutions Should Be Open and Transparent," August 9, 2022. <https://makfax.com.mk/makedonija/%D0%B0%D0%B2%D0%BC%D1%83-%D0%B7%D0%B0-%D0%B8%D0%BD%D1%86%D0%B8%D0%B4%D0%B5%D0%BD%D1%82%D1%82-%D0%B2%D0%BE-%D0%BA%D0%BE%D0%BC%D1%83%D0%BD%D0%B0%D0%BB%D0%BD%D0%B0-%D1%85%D0%B8%D0%B3%D0%B8/>.
- Official Website of the Commission for Prevention and Protection against Discrimination. "CPPD and the Cabinet of the President of the Republic of Macedonia Signed a Memorandum of Cooperation," July 25, 2022. <https://kszd.mk/%d0%ba%d1%81%d0%b7%d0%b4-%d0%b8-%d0%ba%d0%b0%d0%b1%d0%b8%d0%bd%d0%b5%d1%82%d0%be%d1%82-%d0%bd%d0%b0-%d0%bf%d1%80%d0%b5%d1%82%d1%81%d0%b5%d0%b4%d0%b0%d1%82%d0%b5%d0%bb%d0%be%d1%82-%d0%bd%d0%b0-%d1%80/>.
- Radio MOF. "ECPR: CPPD Ordered the Primary School 'Giorgji Sugarev' to Stop the Segregation of Roma Children," August 17, 2022. <https://www.radiomof.mk/ecpr-kszd-mu-naredi-na-osnovnoto-uchilishte-gjorgji-sugarev-da-ja-prekine-segregacijata-na-romskite-deca/>.
- Akademik. "Equality and Elimination of Stereotypes – a New Law on Gender Equality Is Being Prepared," September 20, 2022. <https://akademik.mk/ednakvost-i-eliminirane-na-stereotipite-vo-podgotovka-nov-zakon-za-rodova-ednakvost/>.
- European Commission for the efficiency of justice (CEPEJ). "Mediation Development Toolkit - Ensuring Implementation of the CEPEJ Guidelines on Mediation", CEPEJ()7REV 2018. <https://rm.coe.int/mediation-development-toolkit-ensuring-implementation-of-the-cepej-gui/16808c3f52>.
- Official Website of The Helsinki Committee for Human Rights of the Republic of Macedonia. "Femicides Are a Product of Society's Silence and Mistrust in Institutions," August 8, 2022. https://mhc.org.mk/news/femicidite-se-proizvod-na-molkot-na-opshtestvoto-i-nedoverbata-vo-instituciite/?fbclid=IwAR2WJSU2o_0vyioiblmCcZLNSItlA36j2SQuoyb-VTeargG8LCmihWiSgpiQ&fs=e&s=cl.
- Official Website of The Ministry of Justice. "GRECO Report: Out of 19 Recommendations, 9 Have Been Implemented to a Satisfactory Extent, 9 Have Been Partially Implemented, and Only 1 Has Not Been Implemented , and only 1 has not been implemented)," July 4, 2022. <https://pravda.gov.mk/vest/6381>.
- mkd.mk. "Gruevski Faces 12 and a Half Years in Prison and Another Request for Extradition," September 12, 2022. <https://www.mkd.mk/makedonija/sudstvo/gruevski-go-chekaat-12-i-pol-godini-zatvor-i-ushte-edno-baranje-za-extradicija>.

- Sloboden pecat. "Hate Speech Will Be Judged Only in the Most Severe Forms," July 26, 2022. <https://www.slobodenpecat.mk/govorot-na-omraza-kje-se-sudi-samo-pri-najteshkite-formi/>.
- Helsinki Committee for Human Rights of the Republic of Macedonia. "In June 2022, the Helsinki Committee for Human Rights, on Behalf of a Girl Who Requested Legal Assistance, Submitted a Complaint to the Commission for Prevention and Protection from Discrimination against Sergej Varoshlia for Sexual Harassment Based on Sex and Gender in the Field of Public Information and Media (Helsinki Human Rights Committee in June 2022, on behalf of a girl who requested legal assistance, submitted a complaint to the Commission for Prevention and Protection from Discrimination against Sergej Varoshlia for sexual harassment based on sex and gender in the field of public information and media)." 22 September 2022. https://m.facebook.com/story.php?story_fbid=pfbid02HcUCu1tfkfaRrQi9G5WbmEaGyWQUhN-9L8m6WqmSzAbrxmmNjtzwSyUpFeViqGNbl&id=379156826110.
- Radio MOF. "Helsinki Committee: Unprofessional Handling of 33 Cases of Gender-Based Violence in 2021," July 13, 2022. <https://www.radiomof.mk/helsinshki-neprofesionalno-postapuvanje-po-33-sluchai-na-rodovo-bazirano-nasilstvo-vo-vo-2021/>.
- Radio MOF. "HERA: Four New Gynecological Offices Opened in Makedonski Brod, Resen, Radovish and Delchevo," July 4, 2022. <https://www.radiomof.mk/hera-otvoreni-chetiri-novi-ginekoloshki-ordinacii-vo-makedonski-brod-resen-radovish-i-delchevo/>.
- Official Website of the Commission for Prevention and Protection against Discrimination. "Identified Harassment of Persons with Disabilities by the Director of the Crisis Management Center," September 14, 2022. <https://kszd.mk/%d0%bf%d0%be%d1%81%d1%82%d0%b0%d0%bf%d0%b5%d0%bd%d0%be-%d0%bf%d0%be-%d0%bf%d1%80%d0%b5%d0%bf%d0%be%d1%80%d0%b0%d0%ba%d0%b0-%d0%b4%d0%be%d0%bd-%d0%b5%d1%81%d0%b5%d0%bd%d0%b0-%d0%be%d0%b4-%d0%ba%d0%be/>.
- Radio MOF. "If the People Who Attacked Me Are Not Punished, I Will Set up a Tent in the Government to Be Safe, Says LGBTI Activist Asani activist Asani)," September 12, 2022. <https://www.radiomof.mk/ako-ne-se-kaznat-lugjeto-koi-me-napadnaa-kje-postavam-shator-vo-vladata-za-da-bidam-bezbeden-veli-lgbti-aktivistot-asani/>.
- Sloboden pecat. "Joveski Suspended Vilma Ruskovska, Disciplinary Proceedings against Two Other Prosecutors," August 16, 2022. <https://www.slobodenpecat.mk/joveski-ja-suspendira-vilma-ruskovska-povede-disciplinska-postapka-protiv-ush-te-dve-obvinitelki/>.
- Radio MOF. "KHS: Disciplinary Proceedings against the Employees for the Verbal Attack on the Journalist Iljoska," August 18, 2022. <https://www.radiomof.mk/khs-disciplinska-postapka-protiv-vrbotenite-za-verbalniot-napad-vrz-novinarkata-iljoska/>.
- "Kovacevski: We Provide Equal Opportunities for People with Disabilities and at Social Risk, with More Resources, Care and Quality Services." Official webpage of the Government of the Republic of North Macedonia, July 28, 2022. <https://vlada.mk/node/29725>.

Official Website of the State Commission for Prevention of Corruption. "Memorandum of Cooperation Concluded between the State Commission for Prevention of Corruption and the National Bank of the Republic of North Macedonia," July 18, 2022. <https://dksk.mk/%d1%81%d0%ba%d0%bb%d1%83%d1%87%d0%b5%d0%bd-%d0%bc%d0%b5%d0%bc%d0%be%d1%80%d0%b0%d0%bd%d0%b4%d1%83%d0%bc-%d0%b7%d0%b0-%d1%81%d0%be%d1%80%d0%b0%d0%b1%d0%be%d1%82%d0%ba%d0%b0-%d0%bf%d0%be%d0%bc%d0%b5/>.

Official Website of The Ministry of Labor and Social Policy. "MLSP: The Strategy for Gender Equality 2022-2027 Adopted," July 27, 2022. https://www.mtsp.gov.mk/pocetna-ns_article-mtsp-izglasana-strategijata-za-rodova-ednak-vost-2022-2027-godina.nsp.x.

"MLSP: We Are Building a System That Is Fair and Adapted to People with Disabilities." Official webpage of the Government of the Republic of North Macedonia, July 28, 2022. <https://vlada.mk/node/29717>.

Focus. "Muaremi Is Stepping down from the Position of Acting Director of the Financial Police Office," August 16, 2022. <https://fokus.mk/muaremi-se-povlekuva-od-pozitsijata-vd-direktor-na-upravata-za-finansiska-politsija/>.

Deutsche Welle. "Muaremi to Ruskovska: Crime Is Proven in Institutions," August 4, 2022. <https://www.dw.com/mk/muaremi-do-ruskovska-kriminal-se-dokazuva-vo-institutiite/a-62704465>.

Radio MOF. "North Macedonia Has Made Significant Progress in the Legal Protection of Minorities," September 21, 2022. <https://www.radiomof.mk/s-makedonija-postigna-znachitelen-napredok-vo-pravnata-zashtita-na-malcinstvata/>.

24info.mk. "National Network Against Violence: Does the State Really Protect Women Victims of Family and Gender-Based Violence?! (National network against violence: Does the state really protect women victims of family and gender-based violence?)," August 15, 2022. <https://24info.mk/%D0%9D%D0%B0%D1%86%D0%B8%D0%BE%D0%BD%D0%B0%D0%BB%D0%BD%D0%B0-%D0%BC%D1%80%D0%B5%D0%B6%D0%B0-%D0%BF%D1%80%D0%BE%D1%82%D0%B8%D0%B2-%D0%BD%D0%B0%D1%81%D0%B8%D0%BB%D1%81%D1%82%D0%B2%D0%BE-%D0%94%D0%B0/>.

vesti.mk. "New Investigation on Zeqiri for a Similar Crime," July 8, 2022. <https://www.vesti.mk/article/62c85602075b2192cacefb36>.

press24.mk. "Public Garbage Collection Company: Disciplinary Proceedings Have Been Initiated against the Employee Who Caused an Incident Today (Public Garbage Collection Company - Skopje: Disciplinary proceedings have been initiated for the employee who caused an incident today)," August 8, 2022. press24.mk/jp-komunalna-higijena-skopje-otpochnata-e-disciplinska-postapka-za-vrbotenata-koja-denes-predizvika.

A1 on. "Ruskovska after the Confirmed Suspension: I Have Not Influenced a Single Case, You Can Ask Any Prosecutor," August 24, 2022. <https://a1on.mk/macedonia/ruskovska-po-potvrdenata-suspenszija-na-ni-eden-predmet-ne-sum-vlijaelamozhete-da-prashate-bilo-koj-obvinitel/>.

Kanal 5. "Ruskovska Appealed the Decision on Her Suspension to the Council of Public Prosecutors," August 19, 2022. <https://kanal5.com.mk/ruskovska-submit-zhalba-za-odlukata-za-nejzinata-suspenszija-do-sovetot-na-javni-obviniteli/a543256>.

- Deutsche Welle. "Ruskovska's Appeal Was Rejected, the Suspension Remains," August 24, 2022. https://www.dw.com/mk/ruskovska-nema-da-se-vrati-na-rabota-sovetot-na-javni-obviniteli-ja-potvrdi-suspenzijata/a-62909739?maca=maz-rss-maz-pol_makedonija_timemk-4727-xml-mrss.
- 24info.mk. "SAO: The Department for Resocialization at Penitentiary 'Skopje Prison' Is Not Sufficiently Staffed and There Is No Person to Check the Quality of Food food quality)," July 7, 2022. <https://24info.mk/%D0%B4%D0%B7%D1%80-%D1%81%D0%B5%D0%BA%D1%82%D0%BE%D1%80%D0%BE%D1%82-%D0%B7%D0%B0-%D1%80%D0%B5%D1%81%D0%BE%D1%86%D0%B8%D1%98%D0%B0%D0%BB%D0%B8%D0%B7%D0%B0%D1%86%D0%B8%D1%98%D0%B0-%D0%BF%D1%80%D0%B8/>.
- Pravdiko. "Searches in Prilep Penitentiary: Knives and Other Prohibited Items Were Found among the Convicted Persons," July 21, 2022. <https://www.pravdiko.mk/pretrasi-vo-kpd-prilep-kaj-osudenite-litsa-pronajdeni-nozhevi-i-drugi-zabrane-ti-predmeti/>.
- SSNM. "SSNM: We Have the Right to Report, but Also to Have an Opinion," July 6, 2022. <https://ssnm.org.mk/slider-en/%d1%81%d1%81%d0%bd%d0%bc-%d0%b8%d0%bc%d0%b0%d0%bc%d0%b5-%d0%bf%d1%80%d0%b0%d0%b2%d0%be-%d0%b4%d0%b0-%d0%b8%d0%b7%d0%b2%d0%b5%d1%81%d1%82%d1%83%d0%b2%d0%b0%d0%bc%d0%b5-%d0%bd%d0%be-%d0%b8-%d0%b4>.
- State Audit Office. "FINAL REPORT FOR A SUCCESS AUDIT PERFORMED 'EFFECTIVENESS OF THE MEASURES OF THE GOVERNMENT OF THE REPUBLIC NORTH MACEDONIA FOR GENDER EQUALITY AND APPROPRIATE GENDER BUDGET INITIATIVES' EQUALITY AND GENDER-RELEVANT BUDGET INITIATIVES'," July 1, 2022. https://dzt.mk/sites/default/files/2022-07/RU_Efektivnost_merki_Vlada_rodova_ednakvost_0.pdf.
- Radio MOF. "Subsequent to Determined Discrimination by CPPD, the Local Government in Prilep Received an Order to Provide Drinking Water for the Roma Settlements," August 25, 2022 .
- Focus. "The Council of Public Prosecutors Will Decide on the Suspension of Ruskovska, but Not on Her Dismissal," August 18, 2022. <https://fokus.mk /sovetot-na-javni-obviniteli-ke-reshava-za-suspenzijata-na-ruskovska-no-ne-i-za-zarshuvane/>.
- sdk.mk. "THE FINANCIAL POLICE SUBMITTED CRIMINAL COMPLAINTS FOR RUSKOVSKA AND THE PROSECUTORS, DIRECTOR MUAREMI DOES NOT DISCLOSE FOR WHICH OFFENSE," August 8, 2022. <https:// sdk.mk/index.php/makedonija/finansiskata-politsija-so-krivichni-prijavi-na-ruskovska-i-obvinitelkite-direktorot-muaremi-ne-otkriva-za-koe-delo/>.
- Official website of The National Network Against Violence Against Women and Domestic Violence. "The Gostivar Appellate Court to Urgently Issue a Court Verdict That Will Protect Elena Jovicoska and Convict the Perpetrator of Domestic Violence" August 5, 2022. <https://glasprotivnasilstvo.org.mk/apelatsioniot-sud-gostivar-itno-da-donese-sudska-presuda-so-ko-ja-ke-ja-zashtiti-elena-jovitoska-i-ke-go-osudi-storitelot-na-semejno-nasilstvo/>.
- Official Website of The Helsinki Committee for Human Rights of the Republic of Macedonia. "The Government and the State Election Commission Committed Direct Discrimination against Persons with Disabilities When Exercising Their Right to Vote," September 1, 2022. <https://mhc.org.mk/news/vladata-i-drzhavnata-izborna-komisija-storile-direktna-discriminacija-vrz-licata-so-poprechenost-pri-ostvaruvanje-na-nivnoto-pravo-na-glas/?fbclid=IwAR3qrzFpDz7DN6KMT-kv63BCe5R9JU14z3LpLif7p2CTH9njMBH2xJmwdK0U>.

- Courier. "The Information on Determining Ethical Behavior for Members of the Government and Holders of Appointed Public Offices Was Adopted," July 5, 2022. <https://kurir.mk/makedonija/vesti/usvoena-informacijata-za-utvrduvanje-na-etichko-odnesuvanje-za-chlenovite-na-vladata-i-nositelite-na-imenuvani-javni-funksii/>.
- Skopje 24. "The Investigation against the Former General Secretary of the Government, Muhammad Zekiri, Has Been Expanded," August 8, 2022. <https://skopje24.com.mk/proshirena-istragata-protiv-poraneshniot-generalen-sekretar/?fbclid=IwAR17aDK7xZMsRhGcOf8SfD9mvYxyHqTWelX1DYPGCSxo4s3QgxyRRosxcPo&fs=e&s=cl>.
- Official Website of The Helsinki Committee for Human Rights of the Republic of Macedonia. "The Irresponsibility of the Authorities Undermines the Inclusion of Children with Disabilities," September 6, 2022. <https://mhc.org.mk/news/neodgovornosta-na-nadlezhnite-ja-minira-inkluzijata-na-decata-so-poprechenost/>.
- sdk.mk. "THE MINISTRY OF EDUCATION HAS BECOME THE MOST PROBLEMATIC AND MOST FUNCTIONAL DEPARTMENT, OMBUDSMAN ZIEBERI PUBLISHED ALL THE COMPLAINTS OF PARENTS AND STUDENTS September 30 2022. <https://sdk.mk/index.php/makedonija/ministerstvoto-za-obrazovanie-stanuva-najproblematichen-i-najnefunktsionalen-resor-ombudsmanot-ziberi-gi-objavi-site-poplaki-na-roditeli-i-uchenitsi/>.
- The Ombudsperson of the Republic of North Macedonia. "2021 Annual Report on the Level of Ensuring Compliance, Promotion and Protection of Human Rights and Freedoms (2021 Annual Report on the Level of Ensuring Compliance, Promotion and Protection of Human Rights and Freedoms 2021)," March 2022. <http://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Godisni%20izvestai/GI-2021/GI-2021.pdf>.
- Radio MOF. "The Second Part of the Skopje Pride Weekend in Several Locations from September 15 to 17," September 11, 2022. <https://www.radiomof.mk/vtoriot-del-od-vikendot-na-gordosta-skopje-na-nekolku-lokaii-od-15-do-17-septemvri/>.
- sdk.mk. "The State Further Disenfranchises Babies from Parents without Identity and Increases the Number of New Phantoms," July 26, 2022. <https://sdk.mk/index.php/makedonija/drzhavata-dopolnitelno-gi-obespravuva-bebinata-od-roditelite-bez-identitet-i-ja-zgolemuva-brojkata-na-novi-fantomi/>.
- sdk.mk. "The State Has Been Lying to People with Disabilities for a Year and Is Not Realizing the Rights of People with Disabilities, Say the Coalition 'We Change' and They Are Asking for Help from the EU the rights of persons with disabilities, say the 'We are changing' coalition and ask for help from the EU)," July 27, 2022. <https://sdk.mk/index.php/dopisna-mrezha/drzhavata-edna-godina-gi-lazhe-i-ne-gi-ostvaruva-pravata-na-litsata-so-poprechenost-velat-od-koalitsijata-menuvame-i-baraat-pomosh-od-eu/>.
- Telma TV. "The Untried Constitutional Judge Voislav Dimovski Was Charged with Outdated Cases," September 19, 2022. <https://telma.com.mk/2022/09/19/nesusudeniot-ustaven-judge-voislav-dimovski-dobi-obvinenie-za-zastareni-predmeti/>.
- "The Woman Who Was Beaten by the Negotino Man with Whom She Was in an Extramarital Union Has Died, He Will Be Prosecuted for a Serious Crime)," August 7, 2022. <https://www.slobodenpecat.mk/pochina-zhenata-pretepana-od-negotinecot-so-koj-bila-vo-vonbrachna-zaednica-toj-kje-se-goni-za-poteskho-krivichno-delo/>.
- 360 degrees. "Trajche Pelivanov Appointed Temporary Head in the Place of the Suspended Ruskovska," August 29, 2022. <https://360stepeni.mk/trajche-pelivanov-naznachen-za-privremen-shef-na-mestoto-na-suspendiranata-ruskovska/>.

- Transparency International. "Second Quarterly Report on the Implementation of the Recommendations from the Assessment of Vulnerability to Corruption in State Institutions and Local Authorities in the Field of Spatial Planning, Urbanism and Construction and local government in the area of spatial planning, urbanism and construction," August 18, 2022. <https://dksk.mk/wp-content/uploads/2022/08/vtor-kvartalen-izveshta%20za-implentaczi%20na-preporakite-od-procenka-na-ranlivost-od-korupczi%20vo-oblasta-prostorno-planira%20urbani-zam-i-gradezhnistvo.pdf>.
- 24info.mk. "TV Clan TV Crew Attacked in Communal Hygiene Public Enterprise," August 8, 2022. <https://24info.mk/%D0%92%D0%B8%D0%B4%D0%B5%D0%BE-%D0%9D%D0%B0%D0%BF%D0%B0%D0%B4%D0%BD%D0%B0%D1%82%D0%B0-%D0%B5%D0%BA%D0%B8%D0%BF%D0%B0%D1%82%D0%B0-%D0%BD%D0%B0-%D0%A2%D0%92-%D0%9A%D0%BB%D0%B0%D0%BD-%D0%B2%D0%BE/>.
- Nova Macedonia. "Voislav Dimovski Did Not Receive Support for a Constitutional Judge from the Commission on Elections and Appointments," September 9, 2022. <https://novamakedonija.com.mk/makedonija/voislav-dimovski-ne-dobi-poddrshka-za-ustaven-sudija-od-komisijata-za-prashanja-na-izborite-i-imenuvanjata/>.
- Official website of the Association of Judges of the Republic of North Macedonia. "XI session of the Management Board of the Association of Judges of the Republic of North Macedonia," February 10, 2022. <https://bit.ly/3zQ3NaV>.
- Abazi Imeri, Ardita. "Benefits of Mediation - Awareness in the Public Administration and Business Sector in North Macedonia (Benefits of Mediation - Awareness in the Public Administration and Business Sector in North Macedonia)". In *Yearbook on European Law, Policies, and Institutions*, 1: 9-19. Skopje: Institute for European Politics - Skopje, 2022.
- Abazi Imeri, Ardita, Darko Avramovski, Beba Žagar, Goce Kocovski, Jelena Kadric, Tona Kareva, Urania Pirovska, and Zharko Hadji-Zafirov. "Analysis - comprehensive evaluation of the implementation of the justice sector reform strategy 2017-2022". European Policy Institute - Skopje, November 10, 2022. http://blueprint.org.mk/wp-content/uploads/2022/11/%D0%90%D0%9D%D0%90%D0%9B%D0%98%D0%97%D0%90_mk-1-1.pdf.
- Agency "Rating". "Perception of the public administration and the private sector about mediation as a way to resolve disputes in the Republic of North Macedonia". Institute for European Politics - Skopje, October 25, 2021. <https://epi.org.mk/post/18108>.
- Academy for judges and public prosecutors. "Response to request for free access to public information", 26 August 2022.
- . "Response to Request for Free Access to Public Information," November 1, 2022.
- Official website of the Academy for Judges and Public Prosecutors "Pavel Shatev". "The Academy for Judges and Public Prosecutors part of the regional network of judges for gender equality", July 13, 2022. <https://bit.ly/3WkMt7o>.
- "The Academy for Judges and Prosecutors did not choose a director between Gaber Damjanovska and Ristova", August 30, 2022. <https://fokus.mk/akademijata-za-sudii-i-obviniteli-ne-izbra-direktorka-megu-gaber-damjanovska-i-ristova/>.
- ACIT Center and EPIC Institute, "BALKAN BAROMETER - 2022 Public Opinion Analytical report", June 2022, <https://www.rcc.int/balkanbarometer/publications>.

- Biljana Bejkova Josheska, and Sead Jigal. "By joint action to greater respect for the rights of journalists and media workers". Independent Union of Journalists and Media Workers, January 1, 2022. <https://znm.org.mk/wp-content/uploads/2022/03/Bezbedni-Mediumski-Rabotnici-Analiza-Book-WEB-MKD.pdf>.
- Justice Reform Blueprint Group. "Second semi-annual monitoring brief: Monitoring the implementation of the Justice Sector Reform Strategy 2017-2022 - monitoring period: January 2022 - June 2022". Institute for European Politics - Skopje, September 19, 2022. <https://bit.ly/3NnEySR>.
- Justice Reform Blueprint Group. "Response to a request for an opinion on the draft text of the Law on Management of Confiscated Property, submitted on 07/22/2022", August 3, 2022.
- Official website of the Judicial Council of the Republic of North Macedonia. "Counting of votes for the election of members of the Judicial Council from among judges", September 16, 2022. <https://bit.ly/3gZ1b86>.
- "Vilma Ruskovska is suspended, disciplinary for two more prosecutors", August 16, 2022. <https://netpress.com.mk/vilma-ruskovska-suspendirana-disciplinska-za-ushte-dve-obvinitelki/>.
- Official website of the Government of the Republic of North Macedonia. "The government adopted the package of legal amendments for higher salaries in the justice and prosecution system", May 25, 2022. <https://vlada.mk/node/28948>.
- A1 on. "The Supreme Court confirmed the prison sentences of Katica Janeva and Bojan Jovanovski for 'Racket'", June 1, 2022. <https://a1on.mk/macedonia/i-vrhoven-im-gi-potvr-di-zatvorskite-kazni-na-katica-janeva-i-bojan-jovanovski-za-reket/>.
- Supreme Court of the Republic of North Macedonia. "Response to request for free access to public information", 7 November 2022.
- . "Response to Request for Free Access to Public Information," November 7, 2022.
- eMagazine. "The Supreme Court concluded an agreement with 'Neokom' worth 705.1 thousand euros", May 20, 2022. <https://emagazin.mk/vrhoven-sud-skluchi-dogovor-so-neokom-vreden-705-1-il-adi-evra/>.
- Academician. "The Supreme Court adopted the new rules of procedure", December 29, 2021. <https://akademik.mk/vrhovniot-sud-go-usvoi-noviot-delovnik-za-rabota/>.
- Official website of the European Policy Institute (EPI) - Skopje. "Second group of current and future mediation trainers received training in methods and skills by Dutch experts", 9 May 2022. <https://epi.org.mk/post/20820>.
- "Annual report on the work of the Academy of Judges and Public Prosecutors for 2021", nd <https://jpacademy.gov.mk/reports/>.
- Academician. "Citizens will be able to use digital services of the courts for issuing certificates", October 7, 2021. <https://akademik.mk/graganite-ke-mozhat-da-koristat-digitalni-uslugi-na-sudovite-za-izdavane-na-uverenija/>.
- Focus. "Grkovska: 'Property origin law will be passed carefully'", 20 May 2022. <https://fokus.mk/grkovska-zakonot-za-poteklo-na-imot-ke-se-donesuva-vnimatelno/>.
- Official website of the European Policy Institute (EPI) - Skopje. "Debate: The number of cases resolved by mediation is growing, but there is still low awareness of it", September 16, 2022. <https://epi.org.mk/post/22207>.
- Rules of Procedure for amending and supplementing the court rules of procedure, "Official Gazette of the Republic of Macedonia", no. S 114/2014 (nd).

- Rules of Procedure of the Supreme Court of the Republic of North Macedonia, "Official Gazette of the Republic of North Macedonia", no. S 14/2022 (nd).
- Official website of the Assembly of the Republic of North Macedonia. "Details of material - proposal of the Law on Litigation Procedure", nd <https://www.sobranie.mk/detali-na-materijal.nsp?param=d1d44644-0f3a-4f12-b3da-bea6154d4f87>.
- Official website of the Assembly of the Republic of North Macedonia. "Details of Session 140 of the Legislative and Legal Commission", July 28, 2022. <https://www.sobranie.mk/detali-na-komisiska-sednica.nsp?sitngld=c871b7d3-efa9-47c8-a0b3-9c8590859141>.
- 360 degrees. "DZLP sent an instruction to Rashkovski before acquiring the biometric identification software", September 28, 2022. <https://360stepeni.mk/dzlp-mu-pratila-ukazhuvane-na-rashkovski-pred-da-go-nabavi-softverot-za-biometrika-identificatsija/>.
- Official website of the European Policy Institute (EPI) - Skopje. "Discussion on the shadow report on Chapter 23 for the period October 2021 - September 2022", 25 November 2022. <https://epi.org.mk/post/22609>.
- Independent. "Laws on judicial, public prosecutor's service and enforcement of sanctions passed", November 3, 2022. <https://nezavisen.mk/doneseni-zakonite-za-sudska-javnoobvinitelska-sluzhba-i-za-izvrshuvanje-sankcii/>.
- State Audit Office. "Final report on the compliance audit of the basic budget of the Republic of North Macedonia for 2021", 2022. https://dzr.mk/sites/default/files/2022-09/01_Osnoven_budzet_RNM_KOMPLET_2021_0.pdf.
- State Commission for Prevention of Corruption. "Annual report on the work of the State Commission for Prevention of Corruption for 2021", March 1, 2022. <https://dksk.mk/wp-content/uploads/2022/03/%D0%93%D0%98-2021-final.pdf>.
- State Commission for Prevention of Corruption. "The National Strategy for the Prevention of Corruption and Conflict of Interest 2021-2025", 2020. <https://dksk.mk/wp-content/uploads/2021/01/Nacionalna-strategija-DKSK-KONECNA.pdf>.
- European Commission. "Report on the progress of the Republic of North Macedonia for 2021", 19 October 2021. <https://neighbourhood-enlargement.ec.europa.eu/system/files/2021-10/North-Macedonia-Report-2021.pdf>.
- . "COMMISSION STAFF WORKING DOCUMENT – North Macedonia 2022 Report", October 12, 2022. https://neighbourhood-enlargement.ec.europa.eu/north-macedonia-report-2022_en.
- "European Guidelines on Ethics and Conduct for Public Prosecutors, 'The Budapest Guidelines' (European Guidelines on Ethics and Conduct for Public Prosecutors 'The Budapest Guidelines')". Council of Europe, 2005. <https://rm.coe.int/conference-of-prosecutors-general-of-europe-6th-session-organized-by-t/16807204b5>.
- Official site of the Commission for Prevention and Protection from Discrimination. "The EC welcomed the election of the KSZD, but pointed to the numerous logistical and financial difficulties the Commission is facing", October 22, 2021. <https://kszd.mk/%d0%b5%d0%ba-%d0%b3%d0%be-%d0%bf%d0%be%d0%b7%d0%b4%d1%80%d0%b0%d0%b2%d0%b8-%d0%b8%d0%b7%d0%b1%d0%be%d1%80%d0%be%d1%82-%d0%bd%d0%b0-%d0%ba%d1%81%d0%b7%d0%b4-%d0%bd%d0%be-%d1%83%d0%ba%d0%b0%d0%b6%d0%b0/>.

Official website of the State Commission for Prevention of Corruption and Conflict of Interest. "EC notes progress in the fight against corruption, DKSK – with greater inter-institutional cooperation we can achieve greater results", October 25, 2021. <https://dksk.mk/%d0%b5%d0%ba-%d0%ba%d0%be%d0%bd%d1%81%d1%82%d0%b0%d1%82%d0%b8%d1%80%d0%b0-%d0%bd%d0%b0%d0%bf%d1%80%d0%b5%d0%b4%d0%be%d0%ba-%d0%b2%d0%be-%d0%b1-%d0%be%d1%80%d0%b1%d0%b0%d1%82%d0%b0-%d0%bf%d1%80%d0%be/>.

Law on amending and supplementing the Law on Council of Public Prosecutors, "Official Gazette of the Republic of North Macedonia", no. § 42/2020 (nd).

Law on Amendments and Supplements to the Law on Courts, "Official Gazette of the Republic of North Macedonia", no. 96/2019.

Mediation Law, "Official Gazette of the Republic of North Macedonia", no. 294/2021.

Law on the Judicial Council of the Republic of North Macedonia, "Official Gazette of the Republic of North Macedonia", no. 102/2019.

Law on administrative disputes, "Official Gazette of the Republic of North Macedonia", no. 96/2019.

Official website of the Council of Public Prosecutors of the Republic of North Macedonia. "Laws and Bylaws," n.d. <https://bit.ly/3v8rfgH>.

Law on electronic documents, electronic identification and confidential services, "Official Gazette of the Republic of North Macedonia", no. 101/2019; 275/2019.

Law on Amendments and Supplements to the Law on Labor Relations, "Official Gazette of the Republic of North Macedonia", no. § 151/2021 (nd).

Law on Public Prosecution, "Official Gazette of the Republic of North Macedonia", no. 42/2020.

TV Thelma. "The Law on Labor Relations without the adopted amendments retires 42 judges and 11 prosecutors", July 1, 2022. <https://telma.com.mk/2022/07/01/zakonot-za-rabotni-odnosi-bez-donesenite-izmeni-penzionira-42-sudii-i-11-obviniteli/>.

Law on free access to public information, "Official Gazette of the Republic of North Macedonia", no. 101/2019.

Law on managing the movement of cases, "Official Gazette of the Republic of North Macedonia", no. 42/2020.

Official website of the Government of the Republic of North Macedonia. "Minutes of the 54th session of the government", June 21, 2022. <https://vlada.mk/2022-54>.

Official website of the Government of the Republic of North Macedonia. "Minutes of the 92nd session of the government", July 27, 2022. <https://vlada.mk/vladani-sednici?page=2>.

Official website of the Ministry of Justice. "Minutes of inspections in courts", nd <https://www.pravda.gov.mk/resursi/22>.

Association of Journalists of Macedonia. "North Macedonia: Indicators on the degree of freedom of the media and on the safety of journalists in 2021", May 1, 2022. <https://znm.org.mk/wp-content/uploads/2022/05/MK-MK-2021-finalen-izvestaj.pdf>.

- 360 degrees. "The election of constitutional judges is on the agenda of the commission for elections and appointments today – almost a year after the court has a reduced number of judges", June 2, 2022. <https://360stepeni.mk/izborot-na-ustavni-sudii-deneska-e-na-dneven-red-na-komisijata-za-izbori-i-imenuvana-rechisi-edna-godina-otkako-sudot-e-so-namalen-broj-na-sudii/>.
- znm.org.mk. "The report of the State Department with a special focus on the safety of journalists", April 14, 2022. <https://znm.org.mk/%d0%b8%d0%b7%d0%b2%d0%b5%d1%88%d1%82%d0%b0%d1%98%d0%be%d1%82-%d0%bd%d0%b0-%d1%81%d1%82%d0%b5%d1%98%d1%82-%d0%b4%d0%b5%d0%bf%d0%b0%d1%80%d1%82%d0%b-c%d0%b5%d0%bd%d1%82%d0%be%d1%82-%d1%81%d0%be-%d0%bf/>.
- Academician. "Issuance of a criminal record certificate for natural persons through the national e-services portal", November 15, 2021. <https://akademik.mk/izdavane-potvrda-od-kaznena-evidentsija-za-fizicki-litsa-preku-natsionalniot-portal-za-e-uslugi/>.
- European Policy Institute – Skopje. "Brief analysis of the EC report on North Macedonia 2022 – another EC report: New prism, old pains", October 13, 2022. <https://epi.org.mk/post/22317>.
- Institute for Human Rights Skopje. "Report on the Monitoring of the Work of the Judicial Council: January-June 2022," 2022. <https://bit.ly/3zSBDwb>.
- . "Three-month monitoring report of the sessions of the Council of Public Prosecutors of the Republic of North Macedonia: period May-July 2022", nd <https://bit.ly/3zt5o6c>.
- Official website of the Government of the Republic of North Macedonia. "Public announcement for expression of interest in participating in the National Mediation Council", August 5, 2022. <https://vlada.mk/node/29660>.
- Public Prosecutor's Office of the Republic of North Macedonia. "Report on the work of the public prosecutor's offices of the Republic of North Macedonia in 2021", 2022. <https://bit.ly/3E0kkM7>.
- TV Thlma. "Yolevski: If there are conditions for election, the Council will hold a session for the election of public prosecutors on Wednesday", February 24, 2022. <https://bit.ly/3sLwTUS>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Candidate lists for the election of members of the council from the ranks of judges", August 11, 2022. <https://bit.ly/3TPKwOJ>.
- 360 degrees. "Kacarska: The situation at the Constitutional Court is serious, until the number of judges is filled, important cases will not be considered", May 30, 2022. <https://360stepeni.mk/katsarska-sostojbata-vo-ustaven-e-seriozna-dodeka-nese-popolni-brojot-na-sudii-nema-da-se-razgleduvaat-vazhni-predmeti/>.
- Academician. "A new criminal offense 'Reckless driving of a motor vehicle' will be introduced", November 16, 2021. <https://akademik.mk/kje-se-vovede-novo-krivichno-delo-bezobzirno-upravuvane-so-motorno-vozilo/>.
- "Margins" coalition. "Round table on legal recognition of gender in the Assembly of the Republic of North Macedonia", November 18, 2021. <http://coalition.org.mk/archives/11963>.
- Commission for Prevention and Protection from Discrimination. "Annual report of the Commission for Prevention and Protection against Discrimination (CPPD) for 2021", March 1, 2022. <https://kszd.mk/wp-content/uploads/2022/03/Godisen-iz-vestaj-2021.pdf>.

———. “General recommendation for the promotion and protection of the human rights and dignity of convicted persons with disabilities and respect for their physical and mental integrity during the serving of sentences in penal institutions and correctional homes”. Official website of the Commission for Prevention and Protection against Discrimination (blog), December 3, 2021. <https://kszd.mk/wp-content/uploads/2021/12/%D0%9E%D0%BF%D1%88%D1%82%D0%B0-%D0%BF%D1%80%D0%B5%D0%BF%D0%BE%D1%80%D0%B0%D0%BA%D0%B0-%D0%B7%D0%B0%D1%82%D0%B2%D0%BE%D1%80%D0%B8.pdf>.

———. “General Recommendation,” 27 Apr. 2022. <https://bit.ly/3AkjB62>.

———. “General Recommendation,” 27 Apr. 2022. <https://bit.ly/3V27Skt>.

“The Commission for Prevention and Protection against Discrimination won the trust of the public”, June 23, 2022. <https://vistinomer.mk/komisijata-za-sprechuvanje-i-zashtita-od-diskriminacija-ja-osvoi-doverbata-od-javnosta/>.

Official website of the Association of Judges of the Republic of North Macedonia. “Conference ‘Functionalization and operationalization of the advisory body for judicial ethics in North Macedonia’”, July 14, 2022, <https://bit.ly/3UB6LrG>.

Official site of the Commission for Prevention and Protection from Discrimination. “CPD found prolonged and repeated harassment in the sociology textbook for the third year”, <https://kszd.mk/%d0%ba%d1%81%d0%b7%d0%b4-%d1%83%d1%82% d0%b2%d1%80%d0%b4%d0%b8-%d0%bf%d1%80%d0%be%d0%b4%d0%be%d0%bb%d0%b6%d0%b5%d0 %bd%d0%be-%d0%b8-%d0%bf%d0%be%d0%b2%d0%b5%d1%9c%d0%b5%d0%ba%d1%80%d0%b0%d1 %82%d0%bd/>.

Official site of the Commission for Prevention and Protection from Discrimination. “KSZD: Four general recommendations to institutions for removing systemic discrimination against persons with disabilities”, December 3, 2021. <https://kszd.mk/%d0%ba%d1%81%d0%b7%d0%b4-%d1%87%d0%b5%d1%82%d0%b8%d1%80%d0%b8-%d0%be%d0%bf%d1%88%d1%82%d0%b8-%d0%bf% d1 %80%d0%b5%d0%bf%d0%be%d1%80%d0%b0 %d0%ba%d0%b8-%d0%b4%d0%be-%d0%b8%d0%bd%d1 %81%d1%82%d0%b8%d1%82/>.

Lazetic, Gordana, Olga Koshevaliska, and Lazar Nanev. “Analysis of the application of mediation in North Macedonia”. Institute for European Politics – Skopje, June 13, 2022. <https://epi.org.mk/post/21393>.

Maglesov, Vasko. “How Judicial Council Control Ruined the Year”. Prizma (blog), June 9, 2022. <https://prizma.mk/kako-kontrolata-na-sudskiot-sovet-ja-utna-godinata/>.

———. “With an expired mandate, justice was dispensed for a year – a dozen verdicts on the Skopje appeal were called into question, BIRN learns.” Prizma (blog), April 5, 2022. <https://prizma.mk/so-istechen-mandat-godina-dena-delele-pravda/>.

Macedonian Young Lawyers Association (MYLA). “Annual report on the effectiveness of the legal protection of human rights in the Republic of North Macedonia for 2021”, December 1, 2021. <https://myla.org.mk/wp-content/uploads/pdf/%D0%9C%D0%97%D0%9C%D0%9F-%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD-%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98-2021-%D0%95%D0%A4%D0%98%D0%9A%D0%90%D0%A1%D0%9D%D0%9E%D0%A1%D0%A2%D0%90-%D0%9D%D0%90-%D0%9F%D0%A0%D0%90%D0%92%D0%9D%D0%90%D0%A2%D0%90-%D0%97%D0%90%D0%A8%D0%A2%D0%98%D0%A2%D0%90-%D0%9D%D0%90-%D0%A7%D0%9E%D0%92%D0%95%D0%9A%D0%9E%D0%92%D0%98%D0%A2%D0%95-%D0%9F%D0%A0%D0%90%D0%92%D0%90-%D0%92%D0%9E-%D0%A0%D0%A1%D0%9C.pdf>.

- 360 degrees. "Maricic on the suspended sentence for the accident in Ohrid: I cannot be indifferent, I expect a fair decision", November 15, 2021. <https://360stepeni.mk/marichik-za-uslovnata-kazna-za-soobrakajkata-vo-ohrid-ne-mozham-da-bidam-ramnodushen-ochekuvam-pravedna-odluka/>.
- Official website of the Government of the Republic of North Macedonia. "Maricic announced the 'There is a solution' campaign: Mediation is a faster and more economical procedure", January 14, 2022. <https://vlada.mk/node/27370>.
- Official website of the Secretariat for European Affairs. "Maricic: Judicial reforms are key to accelerating European integration", September 27, 2022.
- Official website of the European Policy Institute (EPI) - Skopje. "Mediators and trainers from AJPP improve their skills with help from Dutch partners", February 28, 2022. <https://epi.org.mk/post/20461>.
- Ministry of the Interior. "Report on the work of the department for internal control, criminal investigations and professional standards in the first nine months of 2022", October 12, 2022. https://mvr.gov.mk/Upload/Editor_Upload/Izvestaj-9meseci.pdf.
- . "Report on the work of the department for internal control, criminal investigations and professional standards for the whole year 2021", January 20, 2022. https://mvr.gov.mk/Upload/Editor_Upload/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD%20%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%202021.pdf.
- Ministry of Justice. "Annual Report on the Implementation of the Justice Sector Reform Strategy 2017-2022", 2021. <https://bit.ly/3Wil0mX>.
- . "Annual Report on the Implementation of the Justice Sector Reform Strategy 2017-2022 for 2021", 2022. <https://bit.ly/3h0YezG>.
- . "E-register for recording mediation cases", August 17, 2020. <http://mediation.pravda.gov.mk/login>.
- . "Minutes of the first constitutive meeting of the working group on the Strategy for the Justice Sector with an Action Plan for 2023-2027", September 12, 2022.
- . "Strategy for reform of the judicial sector for the period 2017-2022 with an action plan", https://www.pravda.gov.mk/Upload/Documents/Strategija%20i%20akciski%20plan_MK-web.pdf.
- Ministry of Justice, Department of Justice. "Decision on the establishment of a working group for the preparation of a Strategy for the justice sector with an action plan for 2023-2027", July 25, 2022.
- Ministry of Finance. "Proposal budget of the Republic of North Macedonia for 2022", <https://bit.ly/3WATG3l>.
- "MES withdraws the controversial second-year sociology textbook", August 9, 2022. <https://sitet.com.mk/mon-go-povlekuva-sporniot-ucebnik-po-sociologija-za-vtora-godina>.
- Ombudsman. "Annual report on the degree of ensuring respect, promotion and protection of human freedoms and rights 2021", March 1, 2022, <https://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Godisni%20izvestai/GI-2021/GI%20-2021.pdf>.

- 360 degrees. "New attempt to select prosecutors in Ruskovska's team: Ten candidates in the race for five seats", March 17, 2022. <https://360stepeni.mk/nov-obid-za-izbor-na-obviniteli-vo-timot-na-ruskovska-deset-kandidati-vo-trka-za-pet-mesta/>.
- Academician. "The new law on civil procedure - a reform that is still in parliamentary procedure", May 3, 2022. <https://akademik.mk/noviot-zakon-za-panichnata-postapka-reforma-koja-se-ushte-e-vo-sobraniska-protsedura/>.
- Official website of the Academy for Judges and Public Prosecutors "Pavel Shatev". "Announcement of the ranking of trainees in the VIIIth generation trainees of initial training at the Academy of Judges and Public Prosecutors", <https://bit.ly/3WcFIVv>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Training of commissions for inspection and evaluation of judges", April 19, 2022. <https://bit.ly/3Nmy5Yf>.
- Official website of the Council of Public Prosecutors of the Republic of North Macedonia. "Advertisement for the election of 5 EOs in the 38th session of the OJOGKK", November 15, 2021. <http://sjorm.gov.mk/%d0%be%d0%b3%d0%b-%d0%b0%d1%81-5/>.
- Announcement for the election of the director of AJPP, "Official Gazette of the Republic of North Macedonia", no. 160/2022.
- Announcement for the election of one member of the Council of Public Prosecutors of the Republic of North Macedonia from among the public prosecutors of the Public Prosecutor's Office of the Republic of North Macedonia with electoral seat no. 5, "Official Gazette of the Republic of North Macedonia", no. 18/2022.
- Announcement for the election of one member of the Council of Public Prosecutors of the Republic of North Macedonia elected by the Assembly of the Republic of North Macedonia, "Official Gazette of the Republic of North Macedonia", no. 154/2022.
- Announcement for the selection of members of the Judicial Council of the Republic of North Macedonia from among judges, "Official Gazette of the Republic of North Macedonia", no. 163/2022.
- Official Website of the Government of the Republic of North Macedonia. "From the 48th session of the Government: The text of the new law on service in the army with additional conveniences was determined; the changes for higher salaries in the justice and prosecution sector have been determined", May 25, 2022. <http://vlada.mk/node/28946>.
- Pavlovska-Daneva, Ana. "Results and inconsistencies in the implementation of the Justice Sector Reform Strategy 2017-2022". Institute for European Politics - Skopje, September 20, 2021. <https://epi.org.mk/post/19961>.
- "The path of mediation in the Republic of North Macedonia". Institute for European Politics - Skopje, August 17, 2022. <https://epi.org.mk/post/22023>.
- I want to say. "Five members of the Board of Directors of the Academy of Judges and Public Prosecutors pushed the election of the director, did not say why they did not vote", August 30, 2022. <https://bit.ly/3gKZhtQ>.
- A1 on. "After an abbreviated procedure, the laws to increase salaries in the judiciary, prosecutor's offices and prison police will be passed", July 27, 2022. <https://a1on.mk/macedonia/po-skratena-postapka-kje-se-donesat-zakonite-za-zgolemuvanje-na-platite-vo-sudstvoto-obvinitelstvata-i-na-zatvorskata-policija/>.

TV Thelma. "For the third time, the session for the selection of 4 new prosecutors in the prosecution of organized crime has been postponed", September 20, 2022. <https://telma.com.mk/2022/09/20/po-tret-pat-odlozhena-sednicata-za-izbor-na-4-novi-obviniteli-vo-obvinitelstvoto-za-gonenje-organiziran-kriminal/>.

Official website of the Judicial Council of the Republic of North Macedonia. "By-laws", <https://bit.ly/3sMy7iE>.

Official website of the Judicial Ethics Advisory Body. "Questions and Answers" <https://sudiskaetika.mk/#sudija>.

Academician. "The procedure for the preparation of a proposal for the Criminal Code has begun", May 4, 2022. <https://akademik.mk/postapkata-za-podgotovka-na-predlog-na-krivichniot-zakonik-e-zapochnata/>.

Academician. "Signed memorandum on increasing the transparency of courts", May 18, 2022. <https://akademik.mk/potpishan-memorandum-za-zgolemuvane-na-transparentnosta-na-sudovite/>.

Official website of the Academy for Judges and Public Prosecutors "Pavel Shatev". "Signed memorandum of cooperation between the Academy of Judges and Public Prosecutors and the Judicial Academy of the Republic of Turkey", November 24, 2021, <https://bit.ly/3SXvvJn>.

Official website of the Academy for Judges and Public Prosecutors "Pavel Shatev". "Signed memorandum of cooperation between the Academy of Judges and Public Prosecutors and the Center for Training and Judicial Studies (SSR) of the Kingdom of the Netherlands," 10 May 2022. <https://bit.ly/3S0dc9z>.

Official site of the Commission for Prevention and Protection from Discrimination. "Signed memorandum of cooperation between CPPD and the Media Ethics Council", March 22, 2022. <https://kszd.mk/%d0%bf%d0%be%d1%82%d0%bf%d0%b8%d1%88%d0%b0%d0%bd-%d0%bc%d0%b5%d0%bc%d0%be%d1%80%d0%b0%d0%bd%d0%b4%d1%83%d0%bc-%d0%b7%d0%b0-%d1%81%d0%be%d1%80%d0%b0%d0%b1%d0%be%d1%82%d0%ba%d0%b0-%d0%bf%d0%be%d0%bc/>.

Rulebook on the manner of supervising the work of the Chamber of Mediators of the Republic of North Macedonia, "Official Gazette of the Republic of North Macedonia", no. 100/2022.

Rulebook on the closer criteria, the method of subsidizing, the payment, the form for the collected award, the costs of the mediator, the form of the request for subsidization and the necessary documentation that is submitted in addition to the request for subsidizing a part of the mediation costs, "Official Gazette of the Northern Republic Macedonia", no. 91/2022.

Rules for the Program for taking the exam for mediators, the way of organizing and taking the exam, the way of conducting the exam, as well as the form and content of the certificate of passing the exam, "Official Gazette of the Republic of North Macedonia", no. 101/2022.

Rulebook on the contents of the Register of received requests for mediation and the method of entering received requests for mediation, "Official Gazette of the Republic of North Macedonia", no. 100/2022 .

Electronic National Register of Regulations of the Republic of North Macedonia - ENER. "Proposal Law on Amendments and Supplements to the Criminal Code", March 2, 2021. https://ener.gov.mk/Default.aspx?item=pub_regulation&sub-item=view_reg_detail&itemid=61439.

- Electronic National Register of Regulations of the Republic of North Macedonia - ENER. "Proposed Law on Confiscated Property, Property Benefit and Seized Items in Criminal and Misdemeanor Proceedings", July 15, 2022. https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=74776.
- Electronic National Register of Regulations of the Republic of North Macedonia - ENER. "Criminal Procedure Draft Law", November 20, 2018. <https://bit.ly/3UaJ2ih>.
- Electronic National Register of Regulations of the Republic of North Macedonia - ENER. "Proposal of the Law on Expertise", February 17, 2022. https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=70466.
- Electronic National Register of Regulations of the Republic of North Macedonia - ENER. "Proposal of the Criminal Code", July 7, 2022. https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=74071.
- 24 News. "Proposals for new constitutional judges", May 13, 2022. <https://24.mk/details/predlozi-za-novi-ustavni-sudii>.
- Macedonian Information Agency – MIA. "The session to continue the work engagement of judges and prosecutors was interrupted", June 29, 2022. <https://bit.ly/3NYBqgE>.
- Electronic National Register of Regulations of the Republic of North Macedonia - ENER. "Proposal Law on Civil Procedure", https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=58350.
- Radio Free Europe. "Financial police search, Ruskovska does not reveal details", July 18, 2022. <https://www.slobodnaevropa.mk/a/31948748.html>.
- Official website of the Judicial Council of the Republic of North Macedonia. "2022 Judicial Budget Council Work Program," nd <https://bit.ly/3haukJA>.
- New TV. "The committee hearing continues in the Parliament for the election of constitutional judges, so far only Fatmir Skender has been accepted", June 9, 2022. <https://novatv.mk/prodolzhuva-komisiska-rasprava-vo-sobranieto-za-izbor-na-ustavni-sudii-dosega-prifaten-samo-fatmir-skender/>.
- Civil Media. "Promotion of the National Strategy for the Development of the Penitentiary System", November 21, 2021. <https://civilmedia.mk/promotsija-na-natsionalnata-strategija-za-razvoj-na-penitentsijarniot-sistem/>.
- Sitel TV. "The selection of prosecutors for organized crime failed", October 27, 2022. <https://sitel.com.mk/propadna-izborot-na-obviniteli-za-organiziran-kriminal>.
- Reichstedter, Peter, Igor Crvenov, Filip Manevski, and Nadica Josifovski. "Macedonian Interoperability Framework (MIF) for Macedonian public services", 2016, https://mioa.gov.mk/sites/default/files/pbl_files/documents/Macedonian_Interoperability_Framework%20MIF_v2.0_mk.pdf.
- Official website of the Program Office of the Council of Europe in Skopje. "Revision of the Code of Ethics for Public Prosecutors," 21 December 2021. <https://www.coe.int/mk/web/skopje/-/revision-of-the-code-of-ethics-for-public-prosecutors>.
- Decision on the appointment of members and secretary of the National Mediation Council, "Official Gazette of the Republic of North Macedonia", no. 201/2022.

- A1 on. "Ruskovska stays with the same team, no new prosecutors", March 17, 2022. <https://a1on.mk/macedonia/ruskovska-si-os-tanuva-so-istiot-tim-ne-se-izbrani-novi-obviniteli/>.
- 24 News. "Session of the Parliamentary Committee on European Affairs", September 26, 2022. <https://24.mk/details/sednica-na-sobraniskata-komisija-za-evropski-prashanja-2>.
- Nova Makedonija. "The session for the election of constitutional judges continued with a dispute over the rules of procedure", September 19, 2022. <https://novamakedonija.com.mk/makedonija/sednicata-za-izbor-na-ustavni-sudii-prodolzhi-so-raspravija-okolu-dorknekot/>.
- Academician. "With the amendments to the Criminal Code, an attack on a journalist will be punished as an attack on an official", 14 June 2021. <https://akademik.mk/so-izmenite-na-krivichniot-zakonik-napadot-na-vrz-novinar-ke-se-kaznuva-ka-ko-napad-vrz-sluzhbeno-litse/>.
- Deutsche Welle. "Assembly votes conclusions on French proposal," July 16, 2022. <https://bit.ly/3hPIwbk>.
- Council of Public Prosecutors of the Republic of North Macedonia. "Annual report on the work of the Council of Public Prosecutors of the Republic of North Macedonia for 2021", 2022. <https://bit.ly/3DGHDCu>.
- . "Response to Request for Free Access to Public Information," September 11, 2022.
- 24 News. "The advisory body for judicial ethics conducted only two procedures for judges", February 22, 2022. <https://24.mk/details/sovetodavnoto-telo-za-sudska-etika-sprovelo-samo-dve-postapki-za-sudii>.
- Official website of the Supreme Court of the Republic of North Macedonia. "Open Judiciary Council Adopts Rules of Procedure and Elects Co-Chairs," July 13, 2022. <https://bit.ly/3gY1hIV>.
- TV Telma. "The Council of Public Prosecutors dismissed prosecutors Leyla Kadriu and Mile Arsenievski, who himself requested termination of office", March 29, 2022. <https://bit.ly/3YU5hfk>.
- Official website of the Public Prosecutor's Office of the Republic of North Macedonia. "Communication", August 1, 2022. <https://jorm.gov.mk/soopshenie-108/>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Announcement on the urgent 414th session of the Judicial Council of the RNM - 31.08.2022", August 30, 2022. <https://bit.ly/3zGxKu8>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Announcement to the public on the election of members of the Judicial Council of the Republic of North Macedonia from among the judges", September 15, 2022, <https://bit.ly/3fiHH9Y>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Announcement from the 182nd session of the Judicial Budget Council - 16.06.2022", <https://bit.ly/3Dm14XB>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Announcement from the 398th session of the Judicial Council of the RNM - March 29, 2022", <https://bit.ly/3UDYH9L>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Announcement from the 399th session of the Judicial Council of the RNM - 04/05/2022", nd <https://bit.ly/3TSVJ13>.

- Official website of the Judicial Council of the Republic of North Macedonia. "Announcement from the 405th session of the Judicial Council of the RNM – 06/08/2022", <https://bit.ly/3tbqtyz>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Announcement from the 407th session of the Judicial Council of the RNM – 07/01/2022", <https://bit.ly/3zs1070>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Announcement from the 411th session of the Judicial Council of the RNM – 08/09/2022", <https://bit.ly/3Ud3puM>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Announcement from the 413th session of the Judicial Council of the RNM – 08/24/2022", <https://bit.ly/3U8Chx9>.
- Official website of the Judicial Council of the Republic of North Macedonia. "Announcement from the 414th session of the Judicial Council of the RNM – 31.08.2022", <https://bit.ly/3UpeHfB>.
- Official website of the Constitutional Court of the Republic of North Macedonia. "Announcement after the working meeting held by the president of the court Dobrila Kacarska with the president of the state Stevo Pendarovski, the president of the government Dimitar Kovacevski and the president of the assembly Talat Xhaferi", May 30, 2022, <http://ustavensud.mk/?p=22303>.
- Spasovska, Emilia. "Report of the monitoring of the Judicial Council and the Council of Public Prosecutors in 2022". Coalition "All for Fair Trials", 2022, <https://bit.ly/3H93UCm>.
- Official website of the Supreme Court of the Republic of North Macedonia. "Meeting of the Supreme Court and Courts of Appeal," June 16, 2022. <https://bit.ly/3FDHJnA>.
- Official website of the Association of Judges of the Republic of North Macedonia. "Strategy for improving the material status of judges 2022-2024," 18 February 2022. <https://bit.ly/3UbL1CT>.
- "Human Resources Strategy for the Public Prosecutor's Network", 2020. <https://bit.ly/3GcekBs>.
- "Human Resources Strategy for the Judicial Network," 2020. <https://bit.ly/3trhzNE>.
- 360 degrees. "Software trial: Expert testified that Rashkovski's software was not functional", 21 September 2022. <https://360stepeni.mk/sudene-za-softveri-veshtak-svedocheshe-deka-softverot-na-rashkovski-ne-bil-funksionalen/>.
- Court rules, "Official Gazette of the Republic of Macedonia", no. 66/2013.
- Judicial Council of the Republic of North Macedonia. "Annual report on the work of the Judicial Council of the Republic of North Macedonia for 2021", 2022. <https://bit.ly/3UqkjqA>.
- . "Methodology for qualitative evaluation of the presidents of the courts and template for qualitative evaluation of the presidents of the courts", December 18, 2020, <https://bit.ly/3WfHN2J>.
- . "Methodology for evaluating the work of a judge based on the fulfillment of the qualitative criteria for the work of a judge and a template for evaluating and scoring the fulfillment of the qualitative criteria for the work of a judge", December 18, 2020. <https://bit.ly/3FycwCs>.
- . "Response to Request for Free Access to Public Information," November 16, 2022.
- . "Response to request for free access to public information", 28 November 2022.

- . “Response to request for free access to public information”, 21 December 2022.
- . “Rules for the ranking of candidates for judges from the Academy of Judges and Public Prosecutors”, December 26, 2019. <https://bit.ly/3fllebe>.
- . “Rules for the establishment and operation of the committees of the Judicial Council of the Republic of North Macedonia for regular and extraordinary evaluation”, March 29, 2022. <https://bit.ly/3DMsNSV>.
- . “Program and Action Plan for Prevention and Monitoring of Corruption in the Judiciary 2022-2025”, September 7, 2022. <https://bit.ly/3DNooPw>.
- . “Instructions on how to calculate effective working hours”, December 18, 2020. <https://bit.ly/3sLEwL0>.
- Tariff list for mediators, “Official Gazette of the Republic of North Macedonia”, no. 194/2022.
- Teofil Blazhevski. “Monitoring the European integration process: Basic rights – the framework is there, the implementation varies, more money is needed everywhere”. Metamorphosis Foundation, July 12, 2022. <https://metamorphosis.org.mk/wp-content/uploads/2022/07/sledenje-na-procesot-na-evrointegracii-osnovni-prava-ramka-ima-implementacijata-varira-sekade-se-potrebni-poveke-pari.pdf>.
- Official website of the Judicial Council of the Republic of North Macedonia. “Technical acceptance of a new office space for the Center for Information and Communication Technology, Analytics and Statistics”, October 29, 2019, <https://bit.ly/3WA72Nh>.
- 360 degrees. “Three and a half years in prison for Janakieski in ‘Toplik’”, April 5, 2022. <https://360stepeni.mk/tri-i-pol-godini-zatvor-za-janakieski-vo-toplik/>.
- Official website of the Ministry of Justice. “Tupanceski: The commitment to a modern and efficient judiciary is slowly but surely yielding results”, March 10, 2022, <https://www.pravda.gov.mk/vest/6320>.
- Official website of the Government of the Republic of North Macedonia. “Tupanceski: The new building of the Administrative Court will provide better conditions for conducting court proceedings”, July 6, 2022, <https://vlada.mk/node/29514>.
- 360 degrees. “Tupancheski: The new Criminal Code will be adopted by the end of the year”, February 17, 2022, <https://360stepeni.mk/tupancheski-noviot-krivichen-zakonik-ke-se-donese-do-krajot-na-godinata/>.
- Official website of the Ministry of Justice. “Tupanceski: From today, online trials become a reality for the Macedonian judiciary”, March 2, 2022. <https://www.pravda.gov.mk/vest/6316>.
- Official website of the Government of the Republic of North Macedonia. “Tupanceski: With the new civil code, the biggest reform in the sphere of civil law will be implemented”, July 8, 2022. <https://vlada.mk/node/29538>.
- 360 degrees. “The Board of Directors of the Academy of Judges and Public Prosecutors has not chosen a director, will publish a new advertisement”, 30 August 2022. <https://360stepeni.mk/upravniot-odbor-na-akademijata-za-sudii-i-javni-obviniteli-ne-izbra-direktor-ke-raspishuva-nov-oglas/>.
- “The Administrative Court got a new building in the center of Skopje”, July 6, 2022. <https://opserver.mk/makedonija/upravniot-sud-dobi-nova-zgrada-vo-centarot-na-skopje/>.
- Focus. “The Constitutional Court with ‘tied hands’, for the first time did not make a single decision”, April 13, 2022, <https://fokus.mk/ustavniot-sud-so-vrzani-ratse-za-prv-pat-ne-donese-nitu-edna-odluka/>.

- 360 degrees. "Financial Police submitted a complaint to the Public Prosecutor's Office for the search of its premises", July 25, 2022. <https://360stepeni.mk/finansiskata-politsija-podnese-pretstavka-do-jo-za-izvrsheniot-pretres-vo-nejzinite-prostorii/>.
- Helsinki Committee for Human Rights of the Republic of North Macedonia. "Annual report on the situation of human rights in 2021", 20 June 2022. <https://mhc.org.mk/wp-content/uploads/2022/08/godishen-izvestaj-za-2021-godina.pdf>.
- Center for Legal Research and Analysis. "Plan for improving work and conditions in basic courts", 2021, <https://bit.ly/3h0kZUN>.
- . "Plan to improve work and conditions in basic courts", November 18, 2021, <https://bit.ly/3hefcef>.
- ConevskaVangelova, Iva, and Ismail Kamberi. "Chapter 23 Shadow Report for the period April 2020–September 2021". European Policy Institute (EPI) – Skopje, December 16, 2021, <https://epi.org.mk/post/20027>.
- ConevskaVangelova, Iva, and Zlatka Stamboliska – Popovska. "2020 Report on the Results of the Implementation of the Justice Sector Reform Strategy 2017–2022". European Policy Institute – Skopje, "Zenith" Association, September 20, 2021, <https://epi.org.mk/post/19920>.
- Conevska, Iva, and Ismail Kamberi. "Chapter 23 Shadow Report for the period April 2019 – March 2020". European Policy Institute – Skopje, May 26, 2020. <https://epi.org.mk/post/14897>.
- Macedonian Information Agency – MIA. "Crvenkovska For MIA: Commissions from higher courts will choose judges from lower courts", April 5, 2022, <https://bit.ly/3TJWcTf>.
- Transparency International, Corruption Perceptions Index 2021, < 2021 Corruption Perceptions Index – Explore the ... – Transparency.org .
- Freedom House, "Freedom in the World 2022 – North Macedonia", 2022, <https://freedomhouse.org/country/north-macedonia/freedom-world/2022> >.
- "Annual report on the implementation of the National Strategy for the Prevention of Corruption and Conflict of Interest, planned for implementation in 2021", April 11, 2022, <https://bit.ly/3gdvxQk> .
- Elena Georgievska and others, "Implementation of the Justice Sector Reform Strategy (2021–2022) in 2021: Shadow Report", March 2022.
- European Court of Human Rights – Country Brief (2022), 19 February 2022, https://echr.coe.int/Documents/CP_Republic_of_North_Macedonia_ENG.pdf .
- "2021 Annual Report on the Work of the Office for the Representation of RNM before the ECtHR," 5 May 2022, <http://bitly.ws/vVXA> .
- "2021 Annual Report on the Work of the Interdepartmental Commission for the Execution of ECtHR Decisions," May 5, 2022, <http://bitly.ws/vVXA> .
- Ombudsman of the Republic of North Macedonia "Report on the monitoring of the situation with the application of the principle of adequate and fair representation for the year 2020", December 2021, <https://bit.ly/3ra6jnZ> .
- Macedonian Young Lawyers Association (MYLA), "Annual report on the efficiency of the legal protection of human rights in the Republic of North Macedonia for 2021", 2021, < <https://bit.ly/3TXs0sU> > accessed on November 1, 2022.

Personal Data Protection Agency of the Republic of North Macedonia, "Annual Report for 2021", April 1, 2022, https://dzlp.mk/sites/default/files/u4/2021-azlp-godisen_izvestaj_za_2021_-_pdf.pdf.

Office of International Religious Freedom at the US Department of State, "Report on International Religious Freedom: North Macedonia 2021", 2022, < <https://www.state.gov/reports/2021-report-on-international-religious-freedom/north-macedonia/> >, accessed 3 October 2022.

Announcement of the State Statistical Office, Census of the population, households and apartments in the Republic of North Macedonia, 2021 – first set of data, official website of the State Statistics Office, March 30, 2022, <https://www.stat.gov.mk/pdf/2022/2.1.22.10-mk.pdf>.

European Union Agency for Fundamental Rights, "Franet National contribution to the Fundamental Rights Report 2022 NORTH MACEDONIA", June 8, 2022, https://fra.europa.eu/sites/default/files/fra_uploads/fra-2022-fundamental-rights-report-2022_en.pdf.

