

***1 Leading questions for written input, to be addressed in the IES
Subcommittee discussions and to be considered in the context of the
2025 Rule of Law Report – North Macedonia***

General reference period for the replies to the written questions: July 2024 – 31 January 2025

17 Jan 2025

I – JUSTICE SYSTEM

Independence

1. Have there been any changes regarding the organisation of the justice system in comparison to last year (number of basic courts, special courts, highest courts and jurisdiction, number of prosecution offices and structure of prosecution service)?

During the reporting period, there were no changes in the organization of the judiciary system.

The judicial authority is exercised by 27 basic courts, 4 appellate courts, an Administrative Court, a High Administrative Court, and the Supreme Court of the Republic of North Macedonia.¹

The Public Prosecution is organized as the Public Prosecution of the Republic of North Macedonia, consisting of 4 higher public prosecutions, a Basic Public Prosecution for prosecuting organized crime and corruption, and 22 basic public prosecutions².

2. What is the state of play of implementation the Strategy for Judicial Reform 2024-2028 and the accompanying action plan, as well as the Council for Monitoring Implementation of the Strategy?

The implementation of the Strategy is underway, with a large part of the activities planned for 2024 having already begun and progressing according to the planned timeline. There has been a slight delay in processes where implementation depended on the completion of the parliamentary elections and the formation of the Government (June 2024). The working group within the Ministry of Justice held regular monthly meetings during the reporting period to coordinate the implementation of the activities.

See Annex 1 - Comprehensive overview of the status of implementation of the activities for 2024.

Regarding the Council for Monitoring the Implementation of the Justice Sector Development Strategy (2024-2028), a process of its restructuring is underway, as well as ensuring its regular

¹ Law on Courts (“Official Gazette” No. 58/06, 62/06, 35/08, 150/10, 83/18, 198/18 and “Official Gazette” No. 96/19)

² Law on Public Prosecution (“Official Gazette” No. 42 of 16.2.2020)

functioning with a clear meeting schedule, efficient coordination between institutions, ensuring accountability for the activities carried out and establishing mechanisms for assessing progress, with a focus on quickly identifying and resolving challenges. The restructuring of the Council is closely linked to the latest developments in the European integration processes, set out in the Western Balkans Growth Plan, and the adopted Reform Agenda 2024-2027. Given these developments, there is a need for the Council for Monitoring the Reforms in the Judiciary to have a mandate to monitor the implementation of the Justice Sector Development Strategy (2024-2028) with the action plan and the Reform Agenda 2024-2027 in section 5 Fundamental Values/Rule of Law. This mandate will enable a coordinated approach to the measures and activities undertaken towards the progress of the Republic of North Macedonia and will ensure compliance and continuity of reforms in the judiciary.

3. Please update us on progress to address the recommendations of the Peer Review on the Judicial Council from September 2023. Please update us on the revisions of the law on the Judicial Council, as well as on the work of the Judicial Council to address the recommendations within their remits.

In accordance with the Action Plan for the Implementation of the Recommendations of the Peer Review Mission of the Judicial Council, the Communication Strategy of the Judicial Council and the Courts of the Republic of North Macedonia (2024–2028), prepared with the support of the EU Rule of Law Project, was adopted on 10 June 2024. With this adoption, along with other by-law amendments, strategies and work plans, the Judicial Council has implemented 7 out of 17 recommendations that do not require constitutional or legal amendments.

See Annex 2 - Status of implementation of the recommendations from the Peer Review Mission of the Judicial Council of September 2023.

A Working Group was established to address the recommendations from the Peer Review Mission. From November 2023 to May 2024, this working group prepared a draft text of the law.

Regarding the process of revising the Law on the Judicial Council, the Ministry of Justice, with the support of the IPA Rule of Law Project, organized 4 expert public hearings in all appellate areas, as well as one final expert hearing at the Supreme Court, held in November and December 2024. The topic of discussions were the draft amendments to the Law on the Judicial Council prepared by the working group, aimed at: introducing clear grounds for individual disciplinary liability of the members and the President of the Council, defining the competent authorities for action and the right to appeal, increasing the minimum judicial length of work for members of the judiciary; strengthening the conditions and mechanisms for selection of members elected by the Assembly; and introducing an electoral census, etc. Minutes were prepared from all public hearings, as well as a joint report, which was submitted to the members of the new working group for review.

In January 2025, a new optimized working group was formed to prepare a draft Law on Amendments and Supplements to the Law on the Judicial Council.

4. Please update us on the revisions of the laws on Courts, on Public Prosecution Office and on Council for Public Prosecutors.

A working group on the Law on Courts has not been established, and preparations for the amendment have not been initiated. In line with the Action plan for the Development Sector Strategy for Judiciary 2024-2028, the activity of establishing a working group for amending the Law on courts (to align with the Law on Judicial Council) is planned for the third quarter of 2025.

In November 2024, a joint working group was established to amend the Law on Public Prosecution and the Law on the Council of Public Prosecutors. As of January 2025, a total of 5 working meetings of the working group were held. The amendments aim to implement the activities of the new Strategy and the recommendations of international reports and documents, the GRECO recommendation, in the area of disciplinary violations and sanctions, as well as strengthening the role of the Council. The work of the working group on amendments to the Law on Public Prosecution is focused on strengthening the mechanisms for electronic allocation of cases and specifying the powers of supervision and accountability of the competent institutions and public prosecutors, while also addressing recommendations related to disciplinary violations and sanctions. This working group is working intensively on both laws with the aim of timely action in accordance with the deadline of the Reform Agenda.

5. Please provide an update on the number of appointments, promotions and transfers of judges, prosecutors, and court presidents and chief prosecutors (including aggregate numbers at all levels and separately for each court and prosecutors' offices). Please update us any transfers of judges and prosecutors with and without consent, and procedure followed, including the rules on transparency followed.

Judicial Council

In the period July 2024 - January 2025, in accordance with the provisions of the amended Rules of Procedure and Rulebook for Ranking of Candidates for Election to a Higher Court, 2 judges were appointed to the Gostivar Court of Appeal, 3 judges to the Shtip Court of Appeal, as well as the President of the Higher Administrative Court, the President of the Veles Basic Court, and the President of the Struga Basic Court, as well as the President of the Strumica Basic Court.

On 22 January 2025, 4 judges were appointed to the Bitola Court of Appeal, for which the decision is not yet final.

In the period from 01 July 2024 to 31 January 2025, a total of 11 judges were temporarily assigned, 10 judges with consent and 1 judge without consent.

On 10 February 2025, the Judicial Council published an announcement for the selection of 50 judges ³from the 8-th generation of candidates from the Academy for judges and prosecutors.

Council of Public Prosecutors

In the period July 2024 - January 31, 2025, the Council of Public Prosecutors elected two public prosecutors in the Public Prosecution Office of North Macedonia, one public prosecutor in the Higher Public Prosecution Skopje, one public prosecutor in the Higher Public Prosecution Bitola and two public prosecutors in the BPP for prosecuting organised crime and corruption - Skopje. These are promotions of public prosecutors, while the recruitment of new public prosecutors is carried out by public announcements based on a ranking list of candidates submitted by the Academy of Judges and Public Prosecutors. There were no transfers of public prosecutors.

On 7 February 2025, the Council of Public Prosecutors published an announcement for selection of 47 public prosecutors⁴ from the 8-th generation of candidates from the Academy of Judges and Public Prosecutors.

6. Please provide an update on the efforts to increase trust and transparency in the judiciary, including with regards to the strategy for 2024-2028, and the activities of the Judicial and

³ For the election of 4 (four) judges of the Basic Court Bitola;
- For the election of 1 (one) judge of the Basic Court Veles;
- For the election of 2 (two) judges of the Basic Court Gevgelija;
- For the election of 5 (five) judges of the Basic Court Gostivar;
- For the election of 6 (six) judges of the Basic Civil Court Skopje;
- For the election of 6 (six) judges of the Basic Criminal Court Skopje;
- For the election of 1 (one) judge of the Basic Court Delčevo;
- For the election of 1 (one) judge of the Basic Court Kavadarci;
- For the election of 1 (one) judge of the Basic Court Kicevo;
- For the election of 1 (one) judge of the Basic Court Kočani,
- For the election of 1 (one) judge of the Basic Court Kriva Palanka;
- For the election of 4 (four) judges of the Basic Court Kumanovo;
- For the election of 2 (two) judges of the Basic Court Ohrid;
- For the election of 4 (four) judges of the Basic Court Prilep;
- For the election of 1 (one) judge of the Basic Court Sveti Nikole;
- For the election of 1 (one) judge of the Basic Court Struga;
- For the election of 2 (two) judges of the Basic Court Strumica;
- For the election of 4 (four) judges of the Basic Court Tetovo and
- For the election of 3 (three) judges of the Basic Court Shtip.

⁴ 2 public prosecutors in BPP Bitola, 1 public prosecutor in BPP Veles, 2 public prosecutors in BPP Gevgelija, 2 public prosecutors in BPP Gostivar, 1 public prosecutor in BPP Delchevo, 1 public prosecutor in BPP Kochani, 2 public prosecutors in BPP Kicevo, 3 public prosecutors in BPP Kumanovo, 1 public prosecutor in BPP Kriva Palanka, 3 public prosecutors in BPP Ohrid, 3 public prosecutors in BPP Prilep, 1 public prosecutor in BPP Radovish, 1 public prosecutor in BPP Resen, 14 public prosecutors in BPP Skopje, 1 public prosecutor in BPP Struga, 2 public prosecutors in BPP Strumica, 4 public prosecutors in BPP Tetovo, 3 public prosecutors in BPP Shtip)

Prosecutorial Councils. In particular, what has been the progress on transparency provisions in appointment, promotion and transfers of magistrates (e.g. publication of reasoned decisions)?

Judicial Council

In May 2024, a Communication Strategy (2024-2028) was adopted with an Action Plan aimed at implementing the recommendations of the EU Assessment Mission.

Sessions of the Judicial Council are public, with the presence of representatives of civil society organizations, media and citizens. Increased transparency is also ensured through regular publication of announcements on the website about scheduled and held sessions, as well as about the decisions made, with more detailed and better explained information. In addition, the Judicial Council also publishes announcements about daily activities, ensuring that the public is informed about the current work and processes. Significant progress was achieved by broadcasting the sessions live via the MIA internet channel, which enabled regular and complete monitoring of the work of the Council by citizens. When promoting judges to a higher court, each member of the Council provides an explanation of the reasons for voting or not voting for the candidate for judge. All elections were conducted with media coverage by the Media Information Agency (MIA) and public reporting, and the summary results of the voting were published.

With the amendments and supplements to the Rules of Procedure of the Judicial Council of 29 May, 2024, standards regarding the obligation to explain decisions are formally strengthened. With the amendments, members of the Council are obliged to explain their decisions, especially in cases when they vote against the election of a judge, in order to ensure their individuality, based on objective criteria and the possibility of consistent comparability. Also, specific deadlines have been introduced for the procedures for determining the responsibility of judges or court presidents. The new rules also envisage the active involvement of the Association of Judges and relevant civil society organizations in the process of discussing and adopting the Annual Report on the work of the Judicial Council. Also, the new Rulebook on Ranking of Candidates for Election of Judges to a Higher Court introduced new criteria that evaluate the additional work of judges, as well as temporary assignments, ensuring priority for election to higher courts based on real qualitative results. The rules will be applied to new announcements for the election of judges.

The Judicial Council posted the candidate lists and biographies on its website, in connection with the election of 2 new members of the Judicial Council from among the judges, carried out on 12 December 2024.

Council of Public Prosecutors

Transparency has been significantly improved by the fact that, as of 20 September 2024, a new website of the Council has been operating (with support of the IPA “Rule of Law” project). The website contains information and publications of short announcements on the points discussed at the sessions, as well as regular publication of standardized minutes of the sessions held. All

activities of the Council are published on the Council's website in a timely manner for the public and the media to familiarize themselves with. Candidates who have applied to the published announcements in all Public Prosecutor's Offices are also disclosed. All sessions of the Council are open to the public and the decisions made by the Council are published on the Council's website. With the support of the IPA Rule of Law project, a Communication Strategy for the Public Prosecution Service and the Council of Public Prosecutors is being prepared.

Supreme Court

In September 2024, the Supreme Court adopted amendments to the Rules of Procedure of the Supreme Court of the Republic of North Macedonia⁵, which allowed for public access to general sessions and the presence of the media, emphasizing the importance of legal issues and the interest of the public. Namely, the new amendments to the Rules of Procedure stipulate that the General and extended general sessions of the Supreme Court are public. The public is informed about the holding and agenda of the general sessions through an announcement on the court's website and notification to the media. Publicity in the work of the General Session is also ensured by the presence of representatives of the media. Recommendations for recording and photography in the courtroom were also adopted during the reporting period.

General principles for presence, recording and photography in civil cases of public interest were also established, as well as principles for facilitating the work of journalists.

On 12 July 2024, the Supreme Court adopted a principled position on media accreditation in civil cases of public interest, in accordance with Article 6 and Article 10 of the European Convention for the Protection of Human Rights.

The Judicial Media Council organized training for journalists on following criminal and civil proceedings, using legal terms, and issued a "Guide for Journalists for the Public in Court Proceedings," as well as a "Guide for Recording and Photographing in Courtrooms." These activities significantly contributed to improving informed reporting on court proceedings. Additionally, in June 2024, the Supreme Court in cooperation with the Ministry for labour and social policy, through the Open Judiciary Council and the national interoperability platform, prepared new services for exchanging data on citizens' social rights. In connection with the launch of these services, the method of electronic data exchange, which aims to provide easier access to information to citizens, was presented at the Informatics Centre of the Supreme Court.

7. Please update us on new developments regarding the legal framework on disciplinary proceedings, judicial immunity, and civil/criminal liability of judges and prosecutors, prosecutorial autonomy and the independence of the Bar. Please provide updated recent statistics on disciplinary procedures.

Regarding the legal framework for disciplinary liability of judges/public prosecutors, disciplinary proceedings and immunity, working groups have been established to prepare amendments to the

⁵ Official Gazette No. 199/ 24

Law on the Judicial Council, the Law on the Public Prosecutor's Office and the Law on the Council of Public Prosecutors. Preparations for the amendments to the laws by these working groups are underway. At the moment, it is not possible to talk about specific legal solutions, because the working groups have not completed their work, i.e. a draft has not been submitted to the ministry. Regarding disciplinary proceedings for public prosecutors, the working group has proposed two alternatives, prepared in accordance with the proposals of an expert engaged within the framework of the Rule of Law project.

There are no new activities and changes regarding the legal framework for criminal liability of judges and public prosecutors. The immunity of judges and public prosecutors is guaranteed in accordance with the Constitution and their immunity is decided by the Assembly.

In 2024, a total of 98 requests were submitted for determining the liability of judges. The above-mentioned requests cover a total of 214 judges. The procedure has been stopped for 49 judges and the reporting Commission has rejected requests for 130 judges. Two (2) disciplinary measures have been imposed, and one request has been withdrawn.

See Annex 3 - Disciplinary proceedings against judges.

There were no changes in the autonomy of the Bar Association during the reporting period.

8. Please provide an update on the number of evaluations of judges and prosecutors carried out during the reporting period. Have there been any challenges to carry out timely and qualitative evaluations?

Judicial Council

In 2024, an extraordinary evaluation of candidates for members of the Judicial Council, candidates for president of the Court of Appeal Bitola, Basic Court Gevgelija, Basic Court Kochani, Basic Court Strumica and Basic Court Kavadarci was conducted. A total of 13 judges were evaluated. One judge filed an objection to the evaluation, and the Judicial Council rejected it as unfounded.

Public Prosecution Office

Several evaluations were conducted in the reporting period: - extraordinary evaluations of 25 public prosecutors. The evaluation of public prosecutors is carried out in accordance with the Law on Public Prosecution and the Evaluation Rulebook, adopted by the Public Prosecutor of the Republic of North Macedonia. The evaluation so far has detected a need for improvement of the legal regulation with challenges identified to the evaluation period, the criteria and the actual representation of the evaluated public prosecutor, which will be taken into account in the preparation of the new Law on Public Prosecution Office.

In May 2024, within the framework of the project "EU Support for the Rule of Law", a Report on the Evaluation of the Work of Public Prosecutors was prepared.

9. Please update us on actions taken and planned by government authorities to fight against corruption in the judiciary, and efforts of the Judicial Council to prepare a strategy against corruption in judiciary.

The fight against crime and corruption is a top priority of the Government. The Ministry of Justice is working on fundamental reforms that will ensure the independence and efficiency of the judiciary and is taking measures to guarantee that all institutions, including the prosecution, will work in accordance with the law, professionally and with respect for the highest moral standards. The Ministry of Justice is working intensively on amendments to the Law on the Judicial Council. A working group has been formed that includes professionals and experts in this field, who are dedicated to drafting specific amendments to the law. These amendments will be aimed at improving the transparency, accountability and efficiency of the Judicial Council. Regarding the responsibility of the members of the Judicial Council, the MPs from the ruling majority have submitted interpellations for the members of the Judicial Council who are elected by the Assembly.

Due to the existence of circumstances that raise doubts about the impartiality and conflict of interest of the State Public Prosecutor, i.e. the appointment of an acting senior prosecutor without respecting the legally established criteria, as well as a violation of the obligation of secrecy in the proceedings, the Ministry of Justice, acting upon the conclusion of the 50-th session of the Government held on 11 February 2025, prepared an opinion on a proposal for the dismissal of the State Public Prosecutor, which it submitted to the Government for further processing in accordance with the Law on the Public Prosecutor's Office and the Constitution of the Republic of North Macedonia.

Regarding the amendments to the Criminal Code adopted in 2023, which have raised concerns, the Ministry of Justice is actively working with legal experts and advisors to prepare amendments to address the potential issues. A working group has been established to ensure that the legal provisions are in line with constitutional principles, with the goal of preventing any further complications or misapplications of the law. For more details on the scope of the amendments, see the answer to question number 11 in the anti-corruption policy.

At the same time, on 12 February 2025 the Constitutional Court decided to initiate a procedure for assessing the constitutionality of the legal amendments and supplements to the Criminal Code.

On 16 August 2024, the Judicial Council adopted a Decision determining the termination of the judicial office of a judge of the Supreme Court of the Republic of North Macedonia due to a final judgment of the Basic Criminal Court Skopje of 15 August 2024 based on a proposal-agreement for the criminal offense of receiving a reward for unlawful influence under Art. 359 paragraph 7 vv paragraph 3 of the Criminal Code, by which he was sentenced to a prison sentence of 3 (three)

years, and the time spent in detention from 20 May 2024 until the start of serving the prison sentence is counted towards the imposed prison sentence and the judge's right to salary ceases⁶. A member of the Council of Public Prosecutors was also suspected of the same criminal offense, who, before the procedure, pleaded guilty to a prosecutorial proposal to have committed the criminal offense of Receiving a reward for unlawful influence under Art. 359 paragraph 3 vv with paragraph 2 of the Criminal Code and based on a Proposal - Agreement, he was sentenced to an alternative measure - a suspended sentence with a fixed prison sentence of one year, which will not be executed if the suspect does not commit a new crime within three years, as well as the court to impose a ban on him from performing a profession, activity or duty of an official for a period of 3 (three) years, because he abused his profession, activity or duty for the purpose of committing the crime and based on the nature of the committed crime and the circumstances under which it was committed, it can be expected that he will abuse such activity to commit a crime again. At the same time, the suspect submitted an irrevocable resignation as a member of the Council of Public Prosecutors, which he submitted to the Assembly.

In July 2024, a working group was formed in the Judicial Council, responsible for amending the Program and Action Plan for Prevention and Monitoring of Corruption in the Judiciary 2022-2025. Support for the process of revising the Program is also provided by the State Commission for the Prevention of Corruption.

10. Please update us on allocation of cases, and the supervisions carried out in courts of the allocation mechanism. When and how often are cases not allocated randomly? Is random allocation of cases hampered in any courts due to judicial vacancies?

In 2024, the Commission for Supervision of ACCMIS established by the Minister of Justice carried out supervision in all courts in accordance with the Supervision Plan for 2024. In April 2024, 6 courts were visited: the basic courts in Veles, Kichevo, Ohrid, Resen, the Criminal Court in Skopje and the Court of Appeal in Skopje. In the period from October to December 2024, 13 courts were visited: the basic courts in Tetovo, Sveti Nikole, Kumanovo, Kriva Palanka, Strumica, Prilep, Struga, Debar, Delchevo, Kavadarci, the courts of appeal in Gostivar and Bitola and the Supreme Court. The reports of the supervisions carried out, after review by the court, were also submitted to the higher court, the Judicial Council and the Supreme Court. They are published on the website of the Ministry of Justice. ACCMIS operates in all courts where supervision was conducted and all cases are assigned exclusively through the ACCMIS mechanism. There is no manual assignment of cases.

The risks identified during the supervisions are:

- Lack of judges, court stuff, IT specialists, court staffing levels ranging from 20-50%,

⁶ Previously, the Judicial Council adopted a decision temporarily suspending a Supreme Court judge who was arrested in May 2024 for accepting a bribe from exercising his judicial office. At the same time, a decision was adopted that stripped him of his immunity and approved the request of the judge in the preliminary proceedings to decide on the measure of detention.

- In some courts, an IT technician is responsible for ACCMIS,
- In some courts, the goal of timely resolution of the influx of cases is temporarily achieved by the court presidents through adopting a new schedule in the department where an increased caseload has been identified, based on the reports of the working body within the court. This includes assigning another judge who has successfully completed their caseload. The president of the court, for the purpose of organizing the work, when a judge has left, assigns the cases to another judge or assigns them to an entire department.- Exceptions and reallocations have been noted, with the court president being required to issue a written decision on this matter, which is registered in ACCMIS system. There are a large number of exemptions and decisions for the exclusion and inclusion of judges. Although the majority are in accordance with the provisions of the court rules of procedure, each inclusion and exclusion of a judge in the system may still raise some questions.. The Supreme Court should monitor the grounds for exemptions and whether they are abused by judges or the president of the court.- The specialization of judges handling all types of cases in some courts is questioned. In order to enable the acting of judges in council in accordance with the law, judges who do not work on the subject matter are included, which poses a risk to the quality of the work of the courts.

ACCMIS was introduced to enable automatic random selection of judges. However, there are cases, such as at the Delchevo Basic Court, where there is only one judge who is also the president of the court. Although all cases are entered and distributed through ACCMIS, the possibility of random selection of a judges does not exist. In this court, a judge from the court with extended jurisdiction is delegated, but this is temporary. The Kriva Planka Basic Court has two judges, all cases are entered and distributed through ACCMIS, but the random selection is either with one or the other judge. In a large part of the basic courts with basic jurisdiction, although ACCMIS is fully respected and cases are distributed, due to the number of judges, the purpose of ACCMIS system and its effectiveness is reduced due to the limited number of judges, which prevents the specialization of judges. For criminal cases, in order to enable a criminal council, judges from another court with extended jurisdiction are delegated, which also leads to a burden on the court with extended jurisdiction. In the courts with extended jurisdiction, although according to systematization there should be up to 18 or 20 judges, they actually have a capacity of 4-5 to 7 judges. According to the regulations, at least 5-7 judges are needed to form a department. Unfortunately, we can conclude that the functionality of ACCCMIS from this aspect is in question.

11. Have there been any developments regarding random allocation of cases for prosecutors?

Within the framework of the EU Rule of Law Project, activities have begun to prepare a technical specification for the establishment of a new electronic case management system. On 10 June 2024, by decision of the Public Prosecutor of the Republic of North Macedonia, a Commission for the Coordination of Activities Related to Information and Communication Technology in Public

Prosecutor's Offices was established⁷. The Commission is composed of 23 members from different profiles of employees in the Public Prosecutor's Office (public prosecutors, expert associates, IT specialists, registrars). The Commission reports on its work to the Public Prosecutor of the Republic of North Macedonia. The working Commission is taking actions to consider all necessary options for the best possible functionality of the system itself.

12. Please update us on developments with regards to remuneration of judges, prosecutors, and judicial and prosecutorial administrations? Please update us on the preparation of the new law on judicial administration.

In December 2024, in a parliamentary procedure, proposed by a group of MPs, amendments were adopted to the laws regulating the salaries of judges, public prosecutors, members of the Judicial Council and the Council of Public Prosecutors, published in the "Official Gazette" No. 272 of 27 December 2024, which reduced the coefficient in order to increase the average salary, and as a result of these laws, salaries remain the same as the previous year. This move aims to limit the possibility of increasing salaries, since the average salary is multiplied by these coefficients for calculating salaries. The average salary, which the State Statistical Office determines annually, serves as the basis for these calculations. If the coefficients had remained the same, salaries would have increased. According to the MPs' explanation, the budget cannot currently support an increase in salaries, so with these amendments to the laws, the salaries that officials have received so far will remain the same.

The Law on Judicial Service is currently under preparation. In October 2024, a working group was established to draft a new Law on the Judicial Service. The first meeting was held on 8 October 2024, and regular meetings of the working group are being held continuously, in order to address the recommendations regarding the status and salaries of judicial officers. It is expected that the new legal solution will be finalized by March 2025 at the latest, which should be in line with the proposals of the Law on employees in the public sector (LEPS) and the Law on administrative servants (LAS). In December 2024, the Ministry of Public Administration prepared a draft amendment to the Law on Public Sector Employees and the Draft Law on Administrative Servants in order to implement the Public Administration Reform, published on ENER on 27 December 2024. Under these laws, judicial and public prosecutor's services become separate categories of

⁷ The Commission is responsible for coordinating activities related to the IPA III program of the European Union for the development of a new computer system in the Public Prosecutor's Office, Determining the necessary functionalities of the new computer system Case Management System in the Public Prosecutor's Office, Preparing analyses and monitoring the need to promote and improve the existing computer system Case Management System in the Public Prosecutor's Office, Preparing a plan for the digital development of the Public Prosecutor's Office, Supporting the implementation of the ICT Strategy in the judiciary, in the activities planned for the Public Prosecutor's Office, Monitoring the status of IT capacities and needs in the Public Prosecutor's Office (hardware and software, additional IT equipment and related systems), Coordination of donations of IT equipment in the Public Prosecutor's Office, Holding coordination meetings and communication with domestic and international institutions and bodies, as well as Forming working subgroups for a more detailed analysis of the functional needs of certain organizational units in the public prosecutor's offices that should be included in the new computer system.

civil servants, classified as part of the administrative servants responsible for administrative tasks. In addition, employment in the judicial service, according to the new proposal, will be carried out through the Agency for Administration, which is within the Ministry of Public Administration. So far, employment in the courts has been carried out exclusively within the courts. This approach aligns judicial and public prosecution staff with other civil servants. It is expected that the new legal solution will be prepared by March 2025 at the latest, which should be in line with the proposals of the LEPS and LAS, which are in the first draft phase published on ENER. The working group for the preparation of a new law on judicial service pointed out the weaknesses of the Draft Law on Administrative Servants and submitted comments and proposals to the Ministry of Public Administration. It is expected that a meeting will be held in order to inform the ministry that the rights of judicial and public prosecutorial officers should be regulated by a separate law, according to the recommendations of the domestic and international documents and requests in the strategies for human resources since they are part of the judicial authority and carry out professional judicial and professional public prosecutorial work that is specific and characteristic only for the judicial authority.

13. Have there been developments regarding tools/mechanisms to report, counter, address, and prevent attempted undue internal or external interference or pressure on the judicial system, including by public officials or politicians? If so, please give an overview of the measures taken or planned by the respective authorities in this regard.

The Supreme Court, in cooperation with civil society organizations, is preparing a Project for internal reporting of external influences through special legal and software procedures.

14. Please update us on any attacks against judges and prosecutors or other justice professionals, such as members of the judicial bodies notably verbal and reputational attacks, threats, physical harm, undue attempted internal and external interference with the judicial system, political pressure and intimidation, including by public officials or politicians? Have there been instances of such attacks in the last year and how have they been handled? What were the measures taken in each case by the competent institutions?

According to the data of the Ministry of internal affairs for 2024, 4 (four)events were recorded in the area of Skopje, as follows:

- 3 (three) criminal offenses of "endangering security", for which two criminal charges were filed against two persons, - whereby the same judge was damaged in two different events, and in the third case the damaged person was a retired public prosecutor,
- 1 (one) misdemeanour for violating the public order by scolding, shouting, and indecent behaviour in accordance with Article 4 of the Law on Misdemeanours against Public Order and Peace, where the damaged person was a lay judge.

For the area of the Berovo Internal Affairs Directorate, a judge at the Berovo Basic Court reported a criminal offense of "endangering security", committed through the "Messenger" application, by sending a text message with threatening content, for which a criminal charge was filed.

In the area of Shtip, - a judge at the Shtip Basic Court reported a complaint against a person who sent a message with threatening content on a mobile phone, for which the perpetrator was warned in writing.

In the area of Gostivar - a judge at the Gostivar Basic Court reported that in the village of Vrapcshishte, when undertaking official actions to conduct an on-site inspection with police assistance provided, the judge was prevented from conducting an inspection in a way that the persons encountered were issuing prohibitions, and two people physically approached the judge, one of whom was prevented by the court's driver, and the other attacked the judge by grabbing and pushing him. After measures were taken, the case was fully clarified and a criminal complaint was submitted against two perpetrators for the crime of "obstruction of justice", after which they were ordered to be detained.

In the Ohrid area - on 10 March 2024, a fire was registered at a coffee bar owned by the State Attorney of North Macedonia, for which, after measures were taken, criminal charges were filed against one known and one unknown perpetrator for the crime of "causing general danger".

15. How many magistrates have been placed under protection?

Additional information to be provided

16. Please update us on developments regarding the Association of Judges' Advisory Body for Judicial Ethics.

On 09 July 2024, a session of the Board of Directors of the Association of Judges was held and a Decision was adopted to elect new members of the Advisory Body.

A request was initiated to the new composition of the Advisory Body for Ethics of Judges and Lay Judges at the Association of Judges, in 2024 by the President of the Basic Court Kocani, dated 17 October 2024, requesting an opinion from the Advisory Body for Ethics regarding requests for disqualification of a judge at the same court, submitted by the judge himself, who acts in cases where the lawyers in the procedure are also tenants of business premises owned by the judge. Acting upon the request and holding a constitutive session on 22 October 2024, the Advisory Body for Ethics of Judges and Lay Judges unanimously adopted a Conclusion that the business-financial relationship of a judge with a party in a proceeding is grounds for his exclusion from further proceedings.

Quality

17. Please provide an update regarding the financial and material resources for the judiciary system, including overall budget allocation, and procedures in place for needs analysis and planning in 2024 as compared to 2023, as well as budget allocations for 2025?

Judiciary

The budget planning of the judicial authority is carried out in accordance with the Law on Judicial Budget and the Law on Budget. The beneficiary units of the judicial authority (Judicial Council of the Republic of North Macedonia, the courts and the Academy of Judges and Public Prosecutors) submit budget requests in which they state the necessary funds for the payment of salaries for current employees, planned new employment, costs for current operations, for employment rights and legally binding and enforceable decisions and necessary capital investments.

Based on the requests of the beneficiary units, a draft budget request of the judicial authority is prepared and submitted to the Ministry of Finance. An integral part of the Draft Budget is also the employment plan for the next fiscal year. The budget approved for the judiciary is lower than the requests. In 2024, during the budget rebalancing, the court budget was reduced.

The approved budget is distributed to the beneficiary units in accordance with the Methodology and Criteria for the Distribution of the Judicial Budget. This takes into account the number of judges, the number of cases, the implementation of the budget of the user unit in the previous year, the projection of costs for the following year, etc.

Approved budget of the judicial authority in 2023 - 2,651,470,000 den

Approved budget of the judicial authority in 2024 - 2,759,256,000 den

Approved budget of the judicial authority in 2025 - 2,979,282,000 den

The approved budget for the Judicial Authority expressed as a percentage of GDP in the indicated years is 0.29% of GDP, compared to the legally envisaged 0.8% of the GDP.

Public Prosecution Office

The budget approved for the Public Prosecution Office is also lower than the budget request.

In 2023, the budget request does not exceed 0.4% of the Budget of the Republic of North Macedonia, but the approved Budget for the Public Prosecutor's Office of the Republic of North Macedonia is 40.52% lower than the budget request.

In 2024, the budget request does not exceed 0.4% of the Budget of the Republic of North Macedonia, but the approved Budget for the Public Prosecutor's Office of the Republic of North Macedonia is 33.02% lower than the budget request.

In 2025, the budget request does not exceed 0.4% of the Budget of the Republic of North Macedonia, but the approved Budget for the Public Prosecutor's Office of the Republic of North Macedonia is 39.01% lower than the budget request.

The approved Budget of the Public Prosecutor's Office of the Republic of North Macedonia for 2025 is distributed as follows: salaries and allowances 74.38%; goods and services 23.67%; miscellaneous transfers 1.70% and capital expenditures 0.25%.

18. Can you please update us on the accessibility of courts (e.g. court/legal fees, legal aid, language, physical access) and if there have been any legislative and/or policy developments. What is the state of play regarding legal aid and how is it used?

In May 2024, a session of judges was held at which the internal procedures for the work of the Supreme Court were integrated. The internal procedures for the work aim to improve efficiency, openness and the handling of cases of high public interest in criminal and civil cases.

In June 2024, the Supreme Court, in coordination with the Ministry of Labor and Social Policy, and based on the efforts of the Open Judiciary Council, developed new services for the social rights of citizens. In connection with the start of using the services, the method of electronic data exchange was presented at the Informatics Center of the Supreme Court, which aims to provide easier access to information to citizens in the future.

19. Please provide an update on the use of alternative dispute resolution and mediation methods, and any measures taken to promote their use.

Mediation in the Republic of North Macedonia was introduced by the Law on Mediation of 2006. New laws on mediation were adopted in 2013 and the last one in 2021. According to the Law on Mediation, mediation is applied in: property disputes arising from probate proceedings, family disputes, labor disputes, trade disputes, consumer disputes, insurance disputes, disputes arising from notarial payment order procedures, disputes in the field of education, disputes in the field of occupational safety and health, disputes in the field of health protection, disputes in the field of environmental protection, disputes related to discrimination, disputes related to civil liability for insult and defamation and in other disputed relations where mediation corresponds to the nature of the disputed relations and can help resolve them arising between domestic and/or foreign natural and legal persons, as well as in criminal cases, unless otherwise determined by a special law.

Mediation is mandatory for commercial disputes, where the value of the dispute is up to 1,000,000.00 denars, in which case the parties should try to resolve the dispute through mediation before initiating court proceedings. This is regulated by the Law on Civil Procedure.

In order to develop mediation in the Republic of North Macedonia, the state subsidizes part of the costs of mediation, only for one mediation procedure between the same parties for one disputed relationship, in the amount of no more than 4,000.00 denars.

20. Please provide an update about the implementation of Human Resources Strategies for court and PPOs, in particular about the steps taken, and obstacles encountered.

Given the challenges of the previous human resources strategy, with the support of the EU IPA Rule of Law project, the preparation of new human resources strategies in the courts and public prosecutor's offices will begin. For this purpose, working groups are being formed within the Judicial Council and the Public Prosecutor's Office, which will be responsible for the preparation of the new human resources strategies.

21. Please provide an update on the number of vacant positions in the judiciary and prosecution services (including for presidents of Courts and Heads of lower PPOs); as well as measures ongoing or planned to fill these vacancies, future competitions and the current challenges with regard to filling the vacancies. Please indicate for all levels also the number of current vacancies also as percentage of the overall number of existing positions in the different fields.

On 24 January 2025, according to Article 58 of the Law on Academy for Judges And Public Prosecutors, final Ranking List of Candidates for Judges and Public Prosecutors was submitted based on the final grade to the Judicial Council and the Council of Public Prosecutors, so that they can announce vacancies for 97 judicial and public prosecutor positions. Additionally, Certificates of Completion of Initial Training and the acquisition of the status of CANDIDATE FOR JUDGE / PUBLIC PROSECUTOR were prepared and distributed so that candidates could apply for the announced vacancies for the selection of 50 judges and 47 public prosecutors.

Within the framework of the project "EU Support for the Rule of Law", under Component 1 - Improving the capacities of judicial institutions to administer justice in a transparent and accountable manner, on 27 January, 2025, a round table was held on the selection of judges and public prosecutors from the VIII generation of candidates from the Academy of Judges and Public Prosecutors and the projections for vacant positions for judges and public prosecutors. It was concluded that the procedure for the selection of public prosecutors would be carried out by 1 March, 2025, and the selection of judges, due to the more complex procedure, would be carried out no later than 20 March 2025. Also at this round table, the following joint activities and cooperation of the AJPP with the two Councils in terms of filling the large number of vacant judicial and public prosecutor positions were discussed.

On 10 February 2025, the Judicial Council published an announcement for the selection of 50 judges⁸, while on 7 February 2025, the Council of Public Prosecutors published an announcement for the selection of 47 public prosecutors ⁹from the 8th generation of candidates from the AJPP.

Regarding vacant positions in the professional service of the Council of Public Prosecutors, 4 (four) positions have been vacant in accordance with the planned systematization.

In February 2023, the Judicial Council adopted the Decision to establish a Working Group responsible for analysing the necessary judicial positions and court officers in courts in the Republic of North Macedonia. Based on unresolved cases from the previous period, received cases, total cases in work, resolved cases, unresolved cases at the end of the period, cases by type per 100 inhabitants, monthly norm, annual norm, inflow of cases, as well as taking into account the opinions of the courts, the Working Group prepared two analyses, namely:

- The analysis of the necessary judicial positions in the Supreme Court of the Republic North of Macedonia, the Higher Administrative Court, the Bitola Court of Appeal, the Gostivar Court of Appeal, the Skopje Court of Appeal and the Shtip Court of Appeal was reviewed at a session of the Council and adopted on 15 September 2023.

⁸ For the election of 4 (four) judges of the Basic Court Bitola;
- For the election of 1 (one) judge of the Basic Court Veles;
- For the election of 2 (two) judges of the Basic Court Gevgelija;
- For the election of 5 (five) judges of the Basic Court Gostivar;
- For the election of 6 (six) judges of the Basic Civil Court Skopje;
- For the election of 6 (six) judges of the Basic Criminal Court Skopje;
- For the election of 1 (one) judge of the Basic Court Delčevo;
- For the election of 1 (one) judge of the Basic Court Kavadarci;
- For the election of 1 (one) judge of the Basic Court Kicevo;
- For the election of 1 (one) judge of the Basic Court Kočani,
- For the election of 1 (one) judge of the Basic Court Kriva Palanka;
- For the election of 4 (four) judges of the Basic Court Kumanovo;
- For the election of 2 (two) judges of the Basic Court Ohrid;
- For the election of 4 (four) judges of the Basic Court Prilep;
- For the election of 1 (one) judge of the Basic Court Sveti Nikole;
- For the election of 1 (one) judge of the Basic Court Struga;
- For the election of 2 (two) judges of the Basic Court Strumica;
- For the election of 4 (four) judges of the Basic Court Tetovo and
- For the election of 3 (three) judges of the Basic Court Shtip.

⁹ 2 public prosecutors in BPP Bitola, 1 public prosecutor in BPP Veles, 2 public prosecutors in BPP Gevgelija, 2 public prosecutors in BPP Gostivar, 1 public prosecutor in BPP Delčevo, 1 public prosecutor in BPP Kočani, 2 public prosecutors in BPP Kichevo, 3 public prosecutors in BPP Kumanovo, 1 public prosecutor in BPP Kriva Palanka, 3 public prosecutors in BPP Ohrid, 3 public prosecutors in BPP Prilep, 1 public prosecutor in BPP Radoviš, 1 public prosecutor in BPP Resen, 14 public prosecutors in BPP Skopje, 1 public prosecutor in BPP Struga, 2 public prosecutors in BPP Strumica, 4 public prosecutors in OJO Tetovo, 3 public prosecutors in BPP Shtip) and 2 public prosecutors in the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption - Skopje

- The analysis of the necessary judicial positions in the basic courts of the Skopje appellate area, the Gostivar appellate area, the Bitola appellate area and the Shtip appellate area was reviewed at a session of the Council and adopted on 29 February 2024.

According to the latest data, the total number of judicial positions planned for all courts is 539, of which 268 are filled judicial positions, and 271 are vacant judicial positions.

22. Please update us on progress and state of play regarding the automated court case management information system (ACCMIS), coordination among the actors responsible, and the use of electronic communication between courts and parties, including using video conferencing in court hearings. In particular, please provide an update on the activities of the Council for information and communication technology in the judiciary.

The process of digitalization in the judiciary is implemented through the Council for Coordination of Information and Communication Technology in Judicial Bodies (ICT Council) under the jurisdiction of the Ministry of Justice, whose composition was changed during the reporting period. In November 2024, a Rulebook on the composition and manner of operation of the Council for Coordination of Information and Communication Technology in Judicial Bodies was adopted ("Official Gazette" No. 242 of 27 November 2024)¹⁰

On 27 January 2025, the Constitutive Session of the new composition of the Council for Coordination of ICT was held, in full compliance with Article 87-a of the Law on Courts. The Council is composed of representatives of judicial bodies and other relevant institutions, who will work on coordinating and implementing digitalization activities in the judiciary.

Regarding the activities of the ICT Council, during 2024 and the beginning of 2025, the ICT Council provided several opinions and positions related to the active use of operational applications that the Criminal Court and the Public Prosecutor's Office have at their disposal and use. More specifically, the opinions relate to the operationalization of the possibility of connecting the two institutions, the recognition of the transmitted/received data electronically as original evidence, as well as the connection and use of the platform of the Ministry of Digital Transformation.

In order to establish electronic access for data for the Public Prosecutor's Office and the Criminal Court to the Mol database on drivers and motor vehicles, citizenship and place of residence/residence, as well as data on holders of firearms permits, agreements have been signed between the Mol and the Public Prosecutor's Office, the Criminal Court, the Supreme Court and the first-instance courts. This agreement also provides for access by the Mol to the courts' data for criminal and penal records.

The subject of work of the ICT Council was also the use of the FEMIDA system for conducting the main hearings, as well as the possibility of using audio and video recordings for examinations

¹⁰ Under the new Rulebook, representatives from the AJPP, justice-related associations and foundations, and the academic community may participate as needed, upon the proposal of council members, but without voting rights.

carried out by the public prosecutor's offices, which also use this application software. In this sense, on 02 October 2024, a promotion of the System for Sound (audio) and Video Recording of Court Hearings SRS Femida and Femida True Records was held, new technologies for mandatory audio (sound) recording of court hearings have been installed in the courts, and outdated technology has been upgraded.

Within the framework of the ICT Council, the needs for changes to certain legal solutions were also considered, which would fully implement the previously mentioned activities.

23. Please update us on the revisions of the case management system in the prosecution service.

A new Case Management System in the Public Prosecution Service is being developed, with the support of the European Union. The Public Prosecutor of the Republic of North Macedonia has formed a working committee consisting of public prosecutors, IT specialists and other members of the public prosecution service, and a technical specification has been prepared for the needs of the new system. An international tender is expected to be launched in order to finalize the process. In the meantime, the working committee is taking action to review all necessary options for the best possible functionality of the system itself.

For more details about the process, please see the answer to question 11 in the judiciary section.

24. Please update us on the developments concerning IT staff in the judiciary.

The Judicial Council and the courts, there is one IT specialist employed, except for the Sveti Nikole Primary Court and the Berovo Primary Court, where there is no IT specialist. In several larger courts, there are two IT specialists, but this does not meet the needs the courts. This is especially evident after the procurement of new equipment for audio and audio video recording in the courts. The outflow of this staff is constant, and the reason is the low salaries compared to the salaries for this category in the private sector. The process of promoting this category should continue in the coming period.

The Council of Public Prosecutors one person is employed as IT staff.

In the Supreme Court, five people are employed as IT staff. In 2024, the Supreme Court also adopted a Rulebook on the manner of functioning of the information system in the courts in the Republic of North Macedonia

25. What has been the progress regarding strengthening the capacity of the Academy for Judges and Prosecutors, including human and other resources?

Activities are underway to find a new, suitable space for the needs of the AJPP to carry out its core business, producing future judges and public prosecutors and implementing mandatory continuous training for existing judges and public prosecutors and other target groups, while

delivering quality teaching. In terms of human resources, approval has been obtained for 2 new employments in 2025, in positions that will be vacated due to retirement.

In November 2024, the Minister of Justice, together with the Director of the AJPP and the President of the Criminal Court, reviewed the possibilities for adapting the old and abandoned premises of the Skopje Criminal Court in order to see the possibilities of the existing facility and, in the shortest possible time frame, to create conditions for the smooth functioning of the AJPP.

In terms of human resources, consent was obtained for 2 new employments in 2025, in positions that will be vacated due to retirement.

On 30 December 2024 the new Board of Directors of the AJPP was formed, which at the constituent session adopted the Rules of Procedure and elected a Deputy Director.

26. Please update us on the developments of the halted intake process of the new intake into the Academy? Please update us on the recruitment of Academy graduates promoted on 5 February.

Regarding the implementation of the initial training for the 9th generation for the admission of 130 trainees for judges and public prosecutors, the admission procedure is still on hold, awaiting a response from the Government regarding its continuation. The procedure was put on hold due to the Conclusions received from the Government to stop all employment. With financial consent secured, taking into account the fact that by judgments of the Administrative and Higher Administrative Court, the admission procedure at the Academy was categorized as an employment procedure (currently the admission procedure is in the final phase of the exam process - written and oral part).

Regarding the continuation of the admission of trainees registered for the announcement for the 9th generation, which has been put on hold, the Management Board will decide upon receiving a response to the letters that the AJPP submitted to the Government.

See also answer for question 21 under this section

27. Have any other measures been taken to improve the quality of entry exams, initial and continuous training?

Following the guidelines of the TAIEX 2018 Assessment Mission, the new Law on the Public Prosecutor's Office of July 2023 and the by-laws of the Public Prosecutor's Office of July 2023 provide for a new method of assessing the Entrance Exam, the assessment of theoretical and practical teaching, as well as the method and assessment of the Final Exam.

The new Law on the Public Prosecutor's Office leads to overcoming some of the problems by changing the method of assessing the answers to the qualification test, i.e. there are no longer 5 answer options offered for each question: of which 1 correct answer is offered, which is scored with 1 point, and 2 options similar to the correct one are offered, which are scored with minus

points (-0.5 and -1.0), 2 options with 0 points and the correct answer is scored with 1 point, and with the new Law there is only one correct answer, which is scored with 1 point, and two incorrect answers, which are scored with 0 points. In accordance with the new Law, the Entrance Exam for the IX generation was also conducted, which is on hold.

With the introduction of the new method of taking the written part of the entrance exam, the exam is no longer taken by solving case studies by answering 8 questions with 10 offered answers to each question and offered options for 1 correct answer that carries 0.5 points and 9 other offered answers that carry (0, -0.5 and -1.0) points, but the written exam is taken by solving two case studies (one from a criminal and one from a civil court case), simultaneously with the preparation of a verdict or decision.

This Law also introduced a new method of assessing practical training, according to which the VIII generation was assessed and the problem of the existence of the same maximum number of points for all participants in initial training after the implementation of the second phase of initial training (practical training) has been overcome. Objective assessment has been introduced, so that the subjective assessment by the trainee's mentors has been overcome, i.e. now the trainees' activities are assessed by Commissions consisting of three members (judges and public prosecutors who were not involved in the practical training of the current generation). Each member of the commission assesses each activity, so that in the end the final grade is the average of the grades of all three members who assessed the given activity. The entire process of taking and assessing the prepared acts (civil verdict, criminal verdict and indictment) takes place under codes, so that the assessors do not at any time have information about which trainee they are assessing when reviewing the acts.

Also, the method of evaluating the simulated trials in the role of (criminal judge, civil judge and public prosecutor) is evaluated by three committees, consisting of three civil judges, three critical judges and three public prosecutors who have never been involved in the practical training of the trainees being evaluated. As with the evaluation of the acts, each member of the committee evaluates each role, so that in the end the final score is the average of the scores of all three members who evaluated the given role.

Also, following the guidelines of the TAIEX 2018 Assessment Mission, a new method of taking the Final Exam has been introduced, with the aim of assessing knowledge and eloquence through solving real cases from practice, conducting trials in the roles of a judge and public prosecutor, and preparing acts (civil and criminal verdicts and indictments), unlike the previous method of taking the final exam, which was conducted electronically by solving cases by answering questions with 10 similar and different answers offered to the correct one with the possibility of receiving minus points (-0.5 and -1) points, 0 points or 0.5 points for a correct answer. According to the new Law, the Final Exam consists of a Written Part, a Trial Simulation and an Oral Part. The written part of the final exam consists of two parts: written preparation of a verdict/decision in a civil or criminal case and writing an indictment. The mock trials consist of a mock trial in the role of a civil judge, a judge in a criminal proceeding or a public prosecutor (The trainees who have prepared a written judgment/decision in a civil case in the simulation are given the role of a judge or public

prosecutor in a criminal case, while those trainees who have prepared a written judgment/decision in a criminal case are given the role of a judge in a civil case). The oral part of the final exam is conducted in the form of a direct conversation with the trainee who is asked four questions, namely: - one question regarding the prepared judgment/decision from substantive law, i.e. - one question regarding the prepared indictment from substantive law, - one question regarding the role performed in the simulation from procedural law and - one question regarding the assessment of the attitudes and attitude towards the professional and ethical performance of the judicial, i.e. public prosecutorial function.

The new Law of 2023 introduced unified practical training and unified diplomas for JUDGES/PUBLIC PROSECUTORS, since the Law on the Public Prosecutor's Office of 2015 introduced different practical training for candidates for judges and candidates for public prosecutors, so that they were issued a certificate of completion of training for only one function. The generations in the Academy from 2006 to 2015 received a universal certificate of completion of initial training, and with it the candidates could apply to perform the function of judge or public prosecutor. As with other matters, with the new Law on the Public Prosecutor's Office of July 2023 we have again moved towards this familiar solution that has proven to be better in practice, so that the current Law on the Public Prosecutor's Office of July 2023 regulates that after the completion of the initial training, a unified certificate will be issued.

In terms of improving the curricula within the framework of initial and continuous training, the AJPP has in the past period intensified its cooperation with its foreign partners who constantly contribute to the improvement of the education programs both within the framework of initial and continuous training. Specialized trainings of trainers on specific topics have been implemented and curricula have been developed for them, all with the aim of strengthening teaching resources and developing the highest quality teaching materials in order for the AJPP to provide improved theoretical teaching for the participants of initial training. This will also contribute to offering a good catalog of quality trainings for existing judges and public prosecutors, with a multidisciplinary approach including other target groups according to the topic of the training. Next, in the past period, for the first time, trainings for trainers of mentors for initial training have been implemented, in order to improve the practical teaching program, as well as to provide trained lecturers for mentors, so that, in the future, the Academy will be able to independently continue to implement these trainings for all engaged mentors.

The Director, who manages the Program Council in cooperation with the Deputy Director, in the short period from mid-October to the end of 2024, prepared curricula divided into modules, which were accepted by the AJPP Management Board and according to which a Training Catalog for 2025 was prepared, in which new topics and trainings were provided for all target groups, all with the aim of better and more efficient administration of justice. Intensive work is underway to prepare a quality program for Newly Elected Judges and Public Prosecutors, which must be organized and completed by candidates from the VIII generation after their election as a judge/public prosecutor. In particular, within the framework of these trainings, a section will be dedicated to soft skills/judge craft/ethics/legal argumentation, etc. Intensive work is also being done to provide new HELP courses, which are being introduced as mandatory in order for judges

and public prosecutors to apply the ECHR in their daily work. Work is also being done to develop a post-training evaluation in order to see the effectiveness of the trainings and introduce innovations for continuous improvement and refinement of the curricula.

In order to strengthen institutional integrity, the Deputy Director initiated a meeting on 27 August 2024, to establish an alumni association, in accordance with the Statute of the Academy, in which all candidates who have successfully completed the initial training at the Academy would be members. The aim of the association is to encourage continuous cooperation among academics through regular meetings, exchange of experiences, legal discussions, monitoring the careers of members and connecting with international associations.

28. What has been the progress regarding consistency and reasoning of the case law and public access to final court rulings?

The Supreme Court establishes principled positions and principled legal opinions for the unification of judicial practice. The Supreme Court established a principled position for the publication of non-final court decisions of public interest that lower courts respect and apply. Also, on 26 June 2024, the Supreme Court held a working meeting with the four Courts of Appeal on harmonization of case law, at which conclusions were reached on the direct application of the European Convention for the Protection of Human Rights, on access to court.

The process of publishing court decisions is proceeding smoothly and all court decisions are published on the court internet portal sud.mk.

Efficiency

29. Please provide an update on developments and measures taken with regards to the lengths of judicial proceedings, and for the reduction of backlog over the reference period?

See Annex 4. Comprehensive overview of received and resolved cases, as well as the backlog of cases before the courts. (pending)

30. Have any further measures been taken to enhance transparency and strategic communication of the judicial system (e.g. unified online access to court data)?

In accordance with the Action Plan adopted in February 2024 to address the recommendations of the EU Evaluation Mission, the Judicial Council, with the support of the "EU Rule of Law" project, in May 2024 adopted amendments to the Rules of Procedure and the Rulebook for the Evaluation of Judges, as well as the Rulebook on the Method of Ranking Candidates for Election as a Judge in a Higher Court, and adopted the Communication Strategy (2024-2028), with an Action Plan, in order to implement the recommendations of the EU Evaluation Mission.

Based on the recommendations for filming and photography and cooperation with the Judicial Media Council as for the public at the General Session, the Supreme Court prepared a Protocol for Communication with the Public, which will be an integral part of the Court's Program for 2025 and will be adopted at the General Session. The Protocol is aligned with the Communication Strategy of the Judicial Council. The Supreme Court is also undertaking activities to improve the website in terms of accessibility of information.

Please see the answer to the question under number 6, which refers to measures to improve transparency.

Judicial Cooperation in Civil and Criminal Matters
[only written exchanges - not for discussion in the JFS SC]

1. Updates regarding the Law on international cooperation in criminal matters (adopted in April 2021)

In July 2024, a draft text of the Law on Amendments to the Law on International Cooperation in Criminal Matters was published. The aim is to align the provisions of the Law on International Cooperation in Criminal Matters with international standards in the area of confiscation of property and proceeds of crime and the handover of confiscated objects and proceeds of crime, as well as to eliminate the identified shortcomings provided for in the existing law. The amendments to the law in the section on confiscation relate to alignment with Article 25 paragraph 2 of the Council of Europe Convention on Laundering, Detection, Seizure and Confiscation of the Proceeds of Crime and the Financing of Terrorism, as well as alignment with the Council Framework Decision 783/2006/JHA of 6 October 2006 on the application of the principle of mutual recognition of confiscation orders and Article 57 of the United Nations Convention against Corruption.

2. Updates regarding the ratification of the Hague Convention on the Protection of Children (1996), the Choice of Court Convention (2005), the Child Support Convention and Maintenance Protocol (2007)

On 15 August 2024, a Law was adopted on the ratification of the Convention on Choice of Court¹¹, concluded in the Hague on 30 June 2005. According to the Law, the 2005 Choice of Court Convention will enter into force for the Republic of North Macedonia – it will enter into force for the Republic of North Macedonia on 01.03.2025.

The ratification procedure has not been started for the Hague Convention on Protection of Children (1996) and the Child Support and maintenance Protocol (2007).

¹¹ "Official Gazette" No 170/2024.

3. Update on the procedures for ratifying the Hague 2019 Judgments Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters

The ratification procedure has not been initiated.

II ANTI-CORRUPTION FRAMEWORK

1. Is there any public awareness raising/information campaign calling on citizens (e.g. dedicated hotlines?) to denounce corruption acts from public officials?

During 2024, the Anti-Corruption Caravan was organized by the "Citizens Against Corruption" Program, funded by USAID and implemented by MCIC, in which representatives of the State Commission for the Prevention of Corruption (SCPC) participated.

At the same time, the SCPC, with its continuous appearance in the field, contributes to raising citizens' awareness of corruption. Namely, through the active implementation of the Integrity System and its active implementation at the national level, the SCPC emphasized cooperation with local self-government, especially in the part of the announced GRECO evaluation within the 6-th round.

Also, in 2024, the SCPC and the OSCE Mission in Skopje, based on the signed Memorandum of Understanding for the implementation of joint activities for the period 2023-2024, cooperated by carrying out several activities aimed at raising awareness of corruption at the local self-government level.

Regarding awareness-raising among elected and appointed officials, in February 2025, the SCPC signed an Agreement with an Annex Plan for the implementation of activities through the USAID Partnership Against Corruption project, which, among other things, envisages the development of a Program for raising awareness and strengthening the integrity of the highest-level executive authorities, through continuous trainings, roundtables and workshops with the executive authorities, senior management officials and all integrity officers/advisors from state institutions.

2. What is the status of the implementation of the National Strategy for Prevention of Corruption (2021- 2025)?

The National Strategy 2021-2025 (NS) is in the final phase of implementation. An annual report on the implementation of the Strategy in 2024 is being prepared, which will be submitted to the Assembly by the end of March 2025 and will be published on the SCPC website.

Within the framework of the USAID project "Partnership Against Corruption", the preparation of a second in-depth qualitative analysis has been initiated to assess the impact of the National Strategy for Preventing Corruption and Conflict of Interest 2021-2025 in the sectors: health,

education, sports, environment, agriculture, and state-owned public enterprises and join stock companies and local self-government units. Among other things, the purpose of this analysis is to measure the impact of the National Strategy on the listed sectors.

3. What are the key challenges and obstacles hindering the effective implementation of the national anti-corruption strategy, and what measures are being taken to address these challenges and accelerate the implementation of the strategy?

In January 2025, the SCPC adopted an Analysis of Factors Affecting the Level of Implementation of the National Strategy for Preventing Corruption and Conflict of Interest 2021-2025. This document was prepared in order to locate the factors of a structural, organizational, regulatory or procedural nature that influenced the level of implementation of the National Strategy for Preventing Corruption and Conflict of Interest with the Action Plan for its Implementation (2021-2025) and with the ultimate goal of preparing recommendations for the development of a new, improved and efficient national strategy.

Based on the analysis, the SCPC concluded that several factors negatively affected the implementation of the Strategy:

- application of an insufficiently developed methodology for preparing the Strategy;
- frequent change of representatives from institutions during the process of preparing the Strategy; nomination of representatives who do not have the appropriate experience or mandate to decide on the obligations that the institution can undertake; or absence of nomination by some of the stakeholders;
- lack of systematic translation of the activities from the Strategy into the strategic and operational documents of the Government and the affected state administration bodies;
- inefficient structure for inter-institutional coordination in the implementation of the Strategy;
- insufficient use of the oversight role by the Assembly over the Government and the Government over the state administration bodies responsible for implementing the activities from the Strategy;
- inadequate formulation and determination of competence for the implementation of the activities;
- failure to adopt a plan for monitoring the process of implementing the Strategy;
- inadequate budget planning during the preparation of the Strategy, and later by the holders of activities;
- lack of an appropriate organizational form in the State Commission for the Prevention of Corruption, whose scope of work includes the Strategy; and
- existence of reform fatigue in the public sector.

The findings and recommendations from the analysis will contribute to the preparation of the next five-year National Strategy for the Prevention of Corruption and Conflict of Interest 2026-

2030. The SCPC will undertake activities to overcome the listed weaknesses in order to create a sustainable strategy. At the same time, in that direction and considering that the activities need to be implemented by competent institutions, the SCPC will intensify the process of inter-institutional coordination and cooperation of all competent institutions.

4. How have the setting effective indicators, and monitoring and evaluation mechanisms been ensured? Is an evaluation of the entire strategy and its implementation planned?

Regarding the part of the question that refers to monitoring and evaluation mechanisms, the answer is given above – Question number 2 (monitoring is carried out through a developed software solution – WEB application, where the institutions responsible for the implementation of the measures and activities periodically submit reports on the implemented activities. After collecting the individual reports from the competent institutions, the SCPC analyses and evaluates the data submitted by them and determines the final status of the activities - implemented, ongoing or not implemented).

Regarding the question of the planned evaluation of the entire strategy, the SCPC plans a full evaluation of the implementation of the entire five-year Strategy. It will be conducted on the basis of a previously conducted Analysis of factors that influence the level of implementation of the Strategy.

5. How are preparations proceeding for an Anti-Corruption strategy post-2025?

An Activity Plan for the preparation of the NS 2026-2030 has been adopted, according to which a meeting is planned with all managers, who will be responsible for acting on the recommendations given in the NS 2026-2030. This plan will be promoted at a ceremonial event where lessons learned and conclusions will be presented.

The event will be held on February 27 in Skopje.

6. How are the various institutions involved in fighting corruption coordinating their efforts to achieve the strategy's objectives?

The coordination of the institutions that are leading the activities from the National Strategy for the Prevention of Corruption (2021-2025) is carried out by the State Commission for the Prevention of Corruption.

Additionally, the overall coordination of all state institutions involved in the fight against corruption is carried out within the framework of the Interdepartmental Body for the Coordination of Anti-Corruption Activities, established in November 2023. As previously reported, the body was established in order to strengthen cooperation between the competent institutions in order to promote policies and mechanisms for the prevention and combating of corruption. Due to the formation of the new Government in June 2024, which was followed by the

appointment of new managers of state institutions and the restructuring of ministries, a revision of the composition of the Interdepartmental Body was initiated. A new Decision on determining the personnel composition of the Interdepartmental Body was adopted by the Minister of Justice on 04 February 2025.

7. What are the underlying factors contributing to the high perception of corruption in the public sector, and what measures are being taken to address these factors?

One of the factors contributing to the high perception of corruption in the public sector is party influence and the consistent application of the merit system in hiring and promoting public sector employees. Of course, in terms of petty corruption, the low salaries of a large part of public sector employees also have an impact. Another factor contributing to the high perception of corruption in the public sector, and above all high-level corruption, is the culture of impunity or the imposition of low sentences for perpetrators of corruption crimes that do not have a deterrent effect.

In order to address these factors, the SCPC continuously undertakes a series of measures in the areas of:

- Personal integrity (strengthening personal integrity and education);
- Institutional integrity (Implementation of the integrity system);
- Recommendations given in accordance with the National Strategy;
- APL process (anti-corruption review of legislation) – which is mandatory for all laws or amendments to laws;
- Political and electoral integrity - acts in accordance with the assigned competence to monitor the legality of the financing of political parties and election campaigns. The SCPC designs and conducts individual procedures in which it examines whether political parties are financed illegally, but also whether they use prohibited or anonymous sources of financing during elections and
- Integrity of data of appointed persons.

In particular, in recent months, numerous coordinated actions have been carried out by the police and the Basic Public Prosecutor's Office for Prosecuting Organized Crime and Corruption, which give concrete results.

8. Have any other policy and/or legislative measures been adopted or implemented to enhance integrity in the public sector?

In addition to the implementation of the integrity policy and the Integrity System by the SCPC (mentioned above), legislative activities are also underway to improve integrity in the public sector, namely the ongoing activities to amend and supplement the Law on Prevention of Corruption and Conflict of Interest (LPCCI). Namely, the working group for amending and

supplementing the LPCCI met several times during 2024, during which the provisions of the Law as well as the recommendations from the EC and GRECO were analyzed.

One of the documents that are part of the working process is the Analysis with recommendations for establishing appropriate procedures and sanctions for non-compliance with the Law, prepared by a Slovenian expert in the field of anti-corruption at the request of the Ministry of Justice and supported by the Council of Europe.

The Analysis, in addition to the sanctions section, also provides recommendations for the area of improving the rules on gifts and establishing a Gift Catalogue, as well as strengthening the verification of declarations of interests and assets of appointed persons.

The process is in the phase of review and final preparation of a draft text, which, once approved by the relevant institutions involved, will be subject to publication and public debate.

9. Has there been any change in the rules and measures are in place to prevent and address conflicts of interest in the public sector including types of checks, and corrective measures? Please provide figures on their application, such as the number and types of ethics advice provided, number of detected breaches/irregularities and the follow-up actions taken (including number and types of sanctions issued)?

In the reporting period in question, there are no changes to the rules and measures for preventing and resolving conflicts of interest. With regard to the “ethical advice” given by the SCPC, as the competent institution for the implementation of the Law on the Protection of Civil Servants, these are actually opinions given upon submitted correspondence – a request for issuing an opinion on the existence or non-existence of a conflict of interest, prohibitions and restrictions regarding the performance of additional activities by officials. Namely, during 2024, a total of 78 opinions on the existence or non-existence of a conflict of interest were requested and given by the SCPC.

According to Article 76 of the Law on Prevention of Corruption and Conflict of Interests, in the event that there is a suspicion of a conflict of interest, the SCPC shall initiate a procedure to determine the existence of a conflict of interest, and if during the proceedings it establishes the existence of a conflict of interest, it shall notify the officials thereof and request that the conflict of interest be eliminated. If the officials fail to act upon the request of the SCPC, then the SCPC shall notify the competent authority thereof.

In its competent proceedings, in the reporting period, the SCPC submitted a total of 4 initiatives before a competent authority to initiate a procedure for determining the liability of an official.

In the event of established violations of the provisions of the Law on Prevention of Corruption and Conflict of Interests, the SCPC conducts a settlement procedure by issuing a misdemeanour payment order in accordance with the Law on Misdemeanours, after which in the referent period, the SCPC issued 42 misdemeanour payment orders. The deadline for payment of the submitted

misdemeanour payment orders by the officials is 8 days from receipt of the order, which is half of the imposed fine.

See ANNEX 5 - Conflict of interest-misdemeanor penalties and ANNEX 6 – SCPC cases conflict of interest

During 2024, 11 notifications/indication were submitted to officials who performed two functions at the same time or managed trade companies as owners, to overcome that situation, after which all of them overcame it, i.e. resigned from performing one function or made a change to the management function in the trade companies.

10. Have there been any developments regarding the prioritisation of risk analysis and results in monitoring?

There are two legal acts that regulate the management of corruption risks in the public sector: the Law on Prevention of Corruption and Conflict of Interest (LPCCI) and the Law on Public Internal Financial Control (LPIFC). In December 2024, a Law on the System of Internal Financial Control in the Public Sector¹² was adopted, whereby the process of managing corruption risks is understood as an integral part of the overall institutional risk management system.

Through cooperation with the Ministry of Finance - Sector for Public Internal Financial Control and after trainings, the SCPC will update the Guidelines for assessing the risk of institutional corruption in the country.

11. What are the implications of the 2023 amendments to the Criminal Code on the prosecution of corruption, and what measures are being taken to strengthen the legal framework and improve the prosecution of corruption, particularly in high-level cases?

In the reporting period, the Ministry of Justice is working on a legal solution for amendments to the existing Criminal Code, which should remove the harmful consequences of the legal amendments to the Criminal Code from September 2023. Specifically, the criminal offense "Abuse of official position and authority" has been redefined, given the fact that the existing description of this criminal offense opens up numerous questions regarding its application, and the criminal sanctions for this criminal offense have also been increased. In order to tighten the penal policy, the sanctions for the criminal offenses "Unconscionable work in the service" and "Criminal association" have also been redefined and tightened. The scope of criminal offences for extended confiscation is also being expanded, as well as incorporating some new criminal offences resulting from modern society and technology, as well as incorporating the latest MONEVAL recommendations.

¹² "Official Gazette" No. 255/2024.

The plans remain for the new Criminal Code, expected to be adopted in 2025. The new Criminal Code will be harmonized with European policies in the field of combating organized crime and corruption and applicable directives and international conventions, for which it is necessary to secure a positive opinion from the European Commission.

As for the novelties that could be expected in the new Criminal Code, there will be changes that will modernize and improve existing procedures, as well as clarification and detailed regulation of certain criminal offenses. One of the key issues is the improvement of sanctions for serious crime, especially for economic crime and corruption, which is in line with the efforts to fight corruption and organized crime.

In addition, there are new criminal offenses related to financial crimes, including the practice of confiscation of property acquired through criminal acts, which will contribute to greater effectiveness in the fight against corruption and organized crime.

On 12 February 2025 the Constitutional Court made a decision to start a procedure for evaluating the constitutionality of the legal amendments and additions to the Criminal Code.

The Public Prosecutor of the Republic of North Macedonia issued a mandatory instruction for all public prosecutors in the country to prioritize corruption cases and those of particular public interest. Such cases should also be given priority by the investigative centers of the public prosecutor's offices in order to protect the public interest. Hence, many investigations were launched, and a number of indictments were filed, especially against former and current public officials.

During this period, several other criminal investigations were initiated regarding: a public prosecutor suspected of abuse of official position and authority; the son of a former high-ranking official suspected of revealing official secrets; 23 officials at Power plants of North Macedonia and Post of North Macedonia suspected of the criminal offenses of abuse of the public call procedure, awarding a public procurement contract or public-private partnership, abuse of official position and authority and money laundering; In addition, during this period, criminal charges due to the existence of grounds for suspicion of committing an abuse of official position and authority have been filed against: a former minister of culture; a former minister of defense; two former directors of the Fund for Innovation and Technological Development; a former director of the Directorate for Technological Industrial Development Zones, three civil servants at the Public Procurement Bureau and four employees at the State Commission for Public Procurement Appeals who acted together for the misuse of a public procurement procedure; the mayor of a municipality in Skopje, five employees of the same municipality and a legal entity from Skopje; the executive director of the Skopje City Shopping Center and three other employees of that company; the acting director of a public enterprise in Bitola; etc. Criminal charges were filed for other corruption-related criminal offenses against 15 customs officers from the Customs Administration and a police officer for accepting bribes and abuse of official position and authority; 12 police officers for fraud in service and abuse of official position and authority; a construction inspector at the Municipality of Kumanovo for accepting bribes.

12. Please provide an update on the latest developments regarding the drafting of a new Criminal Code and new Code of Criminal Procedure.

The preparation of a new Criminal Code has been reported above (question number 11).

With regard to the preparation of a new Law on Criminal Procedure, an initial working version of the Law has been prepared, which aims to harmonize it with numerous international standards and documents in the field of criminal procedural law. In doing so, special attention is paid to the provisions on confiscation, freezing of assets, electronic evidence, financial investigations, special investigative measures, detention, the main hearing, as well as the appeal procedure and extraordinary legal remedies.

Alignment with 9 EU directives on procedural rights has been carried out:

- Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime,
- Directive 2016/343/EU on the strengthening of certain aspects of the presumption of innocence and the right to be present at trial in criminal proceedings,
- Directive 2013/48/EU on the right to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third person informed upon deprivation of liberty and to communicate with third persons and with consular representations while deprived of liberty,
- Directive 2012/13/EU on the right to information in criminal proceedings,
- Directive 2010/64/EU on the right to translation and interpretation and
- Directive 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings who are wanted in proceedings under the European Arrest Warrant.

In addition to these alignments with international standards, the new Law on Criminal Procedure also addresses the weaknesses identified in the current application of the existing Law and is also aligned with the Action Plan for the Digitalization of the Judiciary in order to enable greater use of IT tools during criminal proceedings, online trials, etc.

In September 2024, expert hearings were held with the support of the OSCE on the initial working version of the Law on Criminal Procedure Code. Table of concordance of the Law are currently being prepared, after which it will be submitted to the EC for an opinion.

13. What are the key resource constraints and cooperation challenges facing the national authorities in the investigation and prosecution of corruption, and what measures are being taken to address these challenges?

Public Prosecutor's Office of the Republic of North Macedonia, in the reporting period, still stands before the challenge in terms of human resources, i.e. the number of public prosecutors in the

competent public prosecutor's offices, as well as in terms of the lack of staff in the professional administrative service. In terms of the lack of public prosecutors, this challenge will be partially resolved in 2025 with the selection of new public prosecutors from the 8-th generation of the Academy. In this regard, on 06 February 2025, the Council of Public Prosecutors published a public call for the selection of a total of 47 public prosecutors across the public prosecutor's offices throughout the territory of the country. However, the problem will only be partially overcome due to the fact that in accordance with the Law on Public Prosecutors and the Law on Criminal Procedure, these public prosecutors will only be partially involved in the case work, i.e. only for criminal charges and cases where a prison sentence of up to 5 years is threatened. In terms of the staff deficit in the professional administrative service, the issue of the deficit of IT personnel is particularly sensitive. At the same time, the use of email and electronic technology in general is also a challenge.

14. Has there been any development regarding North Macedonia becoming a signatory party to the OECD Anti-Bribery Convention?

There are no changes on this issue. According to Article 13 of the Convention, the Convention may be acceded to by a member of the OECD or a participant in the Working Group on Bribery in International Business Transactions.

15. Has any other progress been made to increase the effectiveness of recovery measures and administrative sanctions, in addressing corruption by both public and private offenders?

Progress has been made in the implementation of financial investigations – the use of investigative centres and their resources in detecting assets. Public prosecutors use a methodology of net, rather than gross income, in order to detect and distance criminal from legal assets.

16. Have there been any developments regarding corruption repressive structures' capacity in detection and effective investigation of high-level corruption? Please refer to concrete track records including information on indictments, first instance convictions, first instance acquittals, final convictions, final acquittals, other outcomes excluding convictions and acquittals, cases adjudicated, imprisonment or custodial sentences through final convictions, suspended custodial sentences through final convictions, and pending cases.

See ANNEX 7 – High level corruption and ANNEX 8 – All institutions corruption cases

17. What has been the progress regarding the number of referrals to Public Prosecutor's Office for Prosecuting Organised Crime and Corruption (OCCPPO) and the Public

Prosecutor's Office from other authorities, such as tax, Financial Investigation Unit at the Ministry of Finance, SCPC, customs and police?

According to national legislation, the above-mentioned national institutions for prosecuting or detecting crime are not under the jurisdiction of the Public Prosecutor's Office and have their own national laws that vertically and horizontally determine their operations, so the Public Prosecutor's Office can only request, i.e. order them to take certain procedural actions or to submit appropriate documentation that they initially have or can functionally obtain on behalf of and for the account of the Public Prosecutor's Office.

18. Please provide an updated list of databases to which OCCPPO, PPOs and SCPC have access, as mandated by law. Are there obstacles or challenges faced by these institutions to access the databases?

Pursuant to Article 25, paragraph 4 of the Law on Prevention of Corruption and Conflict of Interest, in exercising its powers, the SCPC has access to databases maintained by other bodies and institutions, and has direct electronic access and uses data from the databases, free of charge, from 17 state institutions.

The SCPC has concluded memoranda for electronic data exchange with five institutions, namely: the Real Estate Cadastre Agency, the Ministry of Interior, the Public Revenue Office, the Central Registry of the Republic of North Macedonia and the Central Securities Depository.

At the same time, the integration of the SCPC through the MISA Interoperability system is achieved with the following institutions and registries:

- Ministry of Interior
 - registry of personal documents
 - registry of vehicles
 - registry of weapons permits
- Central Registry of the Republic of Macedonia
 - registry of legal entities
- Public Revenue Office
 - registry of annual tax returns
- Cadastre
 - registry of property deeds

The SCPC is service-integrated and directly with institutions that are not connected to interoperability, primarily the Central Securities Depository - registry of securities.

Through an EU project - IPA II, an analysis was made of the needs of the SCPC as well as the possibilities for upgrading and additional operationalization of the Electronic System for Filing a Declaration of Assets and Interests, which resulted in a list of requirements that will contribute to the functional improvement of the software solution in order to increase the number of registers from which data will be provided in electronic form, automated verification of

declarations of assets and interests, improvement of the visualization of data and reports, as well as correction of the weaknesses that have been detected, as well as the possibilities for more efficient functioning of the same in the future.

Regarding the part of the question that concerns the existence of obstacles and challenges in accessing databases, the SCPC faces the following challenges:

- the existence of legal restrictions regarding access to certain registers that are not specified in the law,
- lack of integration between different databases,
- lack of unified data standards that may cause technical obstacles in the exchange of information,
- lack of sufficiently advanced IT systems or resources for the efficient use of all available data,
- insufficiently trained personnel for the use of complex IT systems and software,
- inability to ensure a high level of protection and security when exchanging information, especially if there are technological weaknesses.
- lack of sufficient funds for upgrading and maintaining the appropriate data management systems.

The basic public prosecutor's offices in the Republic of Macedonia have access to the databases of:

- Ministry of Interior, namely: residence/residence, citizenship, drivers and motor vehicles and holders of firearms permits,
- Real Estate Cadastre Agency and
- Employment Agency.

19. What are the key achievements and challenges of the SCPC in fulfilling its mandate, and what measures are being taken to support the SCPC in its efforts to prevent corruption and promote transparency?

Challenges of the SCPC in the current period and in the next fulfilment of the mandate:

In 2025, one of the key challenges of the SCPC will be the continuation and improvement of activities related to the preparation of the new five-year National Strategy for the Prevention of Corruption and Conflict of Interest 2026-2030.

It is also necessary for the SCPC in 2025 to dedicate itself to the improvement, upgrading and maintenance of a web application for the collection and evaluation of data for monitoring the implementation of the integrity system, as well as to improve the existing questionnaire filled out by the institutions signatory to the integrity policy.

Additionally, the SCPC needs to be further equipped in order to be able to fulfil its competence in accordance with the law and to provide necessary guidance for the improvement of the integrity system of all signatory institutions, in the form of recommendations for improvement.

Education and awareness-raising remain one of the most important commitments of the SCPC in the coming period. Thus, in 2025, the SCPC will focus on developing and implementing an annual training program for elected and appointed persons, will continue the ongoing training activity in primary schools, will conduct training and workshops in the area of whistle-blower protection for representatives of state institutions and local self-government, will hold training and workshops in the public sector on topics: integrity, ethics, prevention of corruption and conflict of interest, will conduct a campaign to raise awareness of the Lobbying Law and organize workshops and round tables with institutions / bodies that are lobbied, lobbyists and lobby organizations. The SCPC will also focus on further improving and managing e-learning systematically, audio-visually and with new e-lessons.

The plan is for the SCPC to recertify the Quality Management System in accordance with the new requirements of the international standard ISO 9001:2015 in 2025, and to begin certification of the ISO 37001:2016 Anti-Corruption Management System standard.

SCPC's successes so far:

- The uninterrupted and continuous cooperation of the SCPC with the Public Prosecutor's Office of the Republic of North Macedonia. The two projects with which the SCPC cooperates facilitate the process of improving this cooperation (IPA RoL - Rule of Law, component 1 - which will provide support in the preparation of a Memorandum of Cooperation between the two institutions and written procedures for the purpose of improving communication and cooperation in specific cases and USAID - the Partnership Against Corruption project - will provide training and coaching through case simulation for employees of both institutions).
- Improvement of personnel capacities - As of 24 January 2025, the number of employed administrative officers in the Secretariat of the SCPC is 49. On the other hand, there is a need to increase personnel capacities. For this purpose, a Functional Analysis has been adopted, which is aimed at new employment and promotion and reallocation of existing staff.

Within the framework of the "Rule of Law" Project, a software solution for human resources management has been developed, which will improve the quality and facilitate the implementation of work processes related to human resources management, provide greater transparency, availability and insight into data, access to documents for all employees and an overview of active employees in the Secretariat of the SCPC.

As a success so far, but also a challenge, are the activities in the area of information technology management, whereby the SCPC, in large part and with the provided international support, will continue in 2025 with activities that lead to the improvement of the institution's information system. Thus, with the support of the USAID PPK project, it is expected to develop an IT strategy for the SCPC, then to upgrade the web application for collection, evaluation and qualitative verification of the implementation of the NS 2021-2025 and the web application for collection, evaluation and qualitative verification of the implementation of the integrity system.

On the other hand, the EU project IPA 2020 Rule of Law is aimed at supporting the improvement of the Register of Elected and Appointed Persons, establishing and maintaining a software solution for monitoring the financing of political parties.

20. What has been the progress on addressing at the SCPC the shortages of resources, specialised staff and access to IT tools to deal with in depth verification of asset declarations and oversight of financing of electoral campaigns?

For the SCPC, progress in addressing the problems of lack of resources, specialized staff and access to IT tools in the context of checking asset declarations and overseeing election campaign financing is a crucial aspect for the effective functioning of this institution. Although it faces limited financial resources, which affects its ability to provide sufficient resources for continuous improvement of its IT tools, in recent years, with the support of international partners, it has managed to make significant progress. Advanced IT tools and software solutions have been implemented that will enable easier and more efficient monitoring and analysis of asset declaration data. These systems include access to registers from which data will be provided in electronic form, automated verification of asset declarations and interests, visualization of data and reports. However, there is still a need for continuous improvement of these systems and increasing their functionality.

In accordance with the acts on internal organization and systematization of jobs in the Secretariat of the SCPC, in the Department for Monitoring Property Status and Interests, which is within the Sector for Preventing Conflicts of Interest, Monitoring Property Status and Interests and Lobbying, 8 jobs have been systematized, of which a total of 6 jobs are currently filled.

During 2024 there were 2 (two) promotions. During 2024, through the K-5 program, one junior associate was employed in the Department for Monitoring Assets and Interests, and the employment of one administrative officer was terminated.

The aforementioned position - Senior Associate for Recording and Updating the Database of Declarations of Assets and Interests, which is vacant, is foreseen in the Annual Employment Plan in the SCPC for 2025 and should be filled through a recruitment procedure by publishing a public announcement.

In the Sector for Prevention of Corruption, within which two departments operate - Department for Prevention of Corruption and Department for Monitoring the Financing of Political Parties, Election Campaigns and Corruption in Public Procurement, a total of 11 positions out of the systematized 13 positions have been filled. One position with the title of advisor has been put on hold due to the appointment of an administrative officer employed in the Secretariat of the SCPC to a public position - a member of the SCPC.

The position of Advisor for Monitoring the Financing of Political Parties and Election Campaigns, which has not been filled, is foreseen in the Annual Employment Plan of the SCPC for 2025 and should be filled through a recruitment procedure with the publication of a public announcement.

In order to strengthen the capacities of the SCPC by initiating changes in the internal structure and internal processes of the institution, a report on a functional analysis conducted in the SCPC is being prepared in order to propose specific measures to improve the efficiency and effectiveness of operations.

After the completion of this process, an amendment to the acts on internal organization and systematization of jobs in the SCPC will follow, with an expansion of the number of organizational units and executives in the Secretariat of the SCPC.

21. Please provide an update on the numbers of submitted asset declarations, and completed in-depth verifications, including cross-checking of data (in relation to the total number of public officials concerned)

During 2024, the number of cases filed pursuant to Articles 82, 85 and 92 of the Law Prevention of Corruption and Conflict of Interests) is a total of 109 cases.

Of these, 42 cases were filed based on reports, 14 cases were filed in accordance with the Annual Program for Monitoring Assets and Interests for 2024, and 53 cases were filed on the SCPC's own initiative.

Regarding the cases related to the verification of the veracity of the data from the Declarations of Assets and Interests, they are ongoing, due to the length of the period for providing the necessary documentation from various institutions and the complexity of their analysis.

In January 2024, an Annual Plan for Monitoring Assets and Conflicts of Interest for 2024 was adopted, which provided for the verification of asset data of the following categories of officials:

- 4 judges and prosecutors;
- 3 officials in the field of health;
- 4 mayors and council members; and
- 3 directors of public enterprises and joint-stock companies.

The administrative verification of these cases is still ongoing.

See ANNEX 10 – Asset declarations and systematic verifications

22. Please provide an update on SCPC cases opened on its own initiative and under which area of competence of the SCPC

Initiatives submitted by the SCPC during the election processes – presidential and parliamentary elections 2024: A total of 6 initiatives for criminal prosecution were submitted (detailed overview

in the attached tables – **ANNEX 11 – Miscellaneous other misdemeanor penalties**). Initiatives for criminal prosecution submitted by the SCPC, in accordance with Art. 17, para. 1, item 5 of the Law on Prevention of Corruption and Conflict of Interest - 4 initiatives for criminal prosecution were submitted to the competent authorities. Of these, one initiative for criminal prosecution was on its own initiative. (Detailed overview is in the attached tables- **ANNEX 12 – Initiative for criminal charges and ANNEX 13 – Dismissal disciplinary proceedings**).

23. Please provide an update on the institutional set up and working methods/division of tasks in the SCPC and in its secretariat. Has a Secretary General been appointed?

In accordance with the Law on Prevention of Corruption and Conflict of Interest, the State Commission for Prevention of Corruption is autonomous and independent in carrying out the tasks determined by this law and has the status of a legal entity. The State Commission is composed of a president and six members, who are elected by the Assembly of the Republic of Macedonia for a term of five years and have the status of appointed persons. The president and members of the State Commission perform their functions professionally and full-time. The State Commission has a Secretariat as a professional service that performs administrative tasks within the competence of the State Commission. The Secretariat is managed by a Secretary General.

The State Commission makes decisions in carrying out the tasks within its competence at a session chaired by the president of the State Commission, with a majority vote of the total composition of the State Commission. The Rules of Procedure determine the manner of work of the State Commission.

The State Commission acts on its own initiative or on the basis of received reports.

In December 2024 the SCPC adopted amendments to the Rules of Procedure, by which the cases established within the legal competences of the SCPC, are distributed to the President and members of the SCPC electronically by random selection, whereby an equal number of cases are distributed to all of them. In parallel with the distribution of cases to the President and members of the SCPC, cases are also distributed electronically to advisors from the Secretariat, who, together with the members of the SCPC, review the cases. The heads of the relevant sectors/departments are also involved in the distribution of cases and the distribution of work tasks, as well as in the review of cases and the taking of procedural actions.

At the end of December 2024, the SCPC approved the Work Program for 2025, which set out the priorities of the commission for the coming year, namely: monitoring and assessing the implementation of the National Strategy for Prevention of Corruption and Conflict of Interests 2021-2025; conducting anti-corruption review of legislation; acting upon reports of suspected corruption; monitoring the legality of political party financing; preventing corruption in the election process; etc. The SCPC also adopted an Annual Plan for the Implementation of Anti-Corruption Review of Legislation for 2025.

The members of the SCPC report on the handling of cases and the actions taken at the meetings of the SCPC collegiums, at which issues related to the work on the cases are discussed. The decision on the cases is made at a public session and they are published on the SCPC website within five days from the day of adoption.

The distribution of work tasks of the Secretariat that are not related to the work on cases by the commission is carried out through the Secretary General.

The State Commission for the Prevention of Corruption elected a Secretary General at the session held on 08 November 2024.

In November 2024, the State Commission for the Prevention of Corruption became a member of the EPAC/EACN Anti-Corruption Network.

24. Provide a detailed account of the impact of the implementation of amended Criminal Code in September 2023 on ongoing cases at the time of adoption, in particular sentence reduction and dismissal of criminal proceedings.

The Public Prosecutor's Office issued an instruction for prioritizing corruption cases and matters of significant public interest, for more details see the answer to question 11 of the anti-corruption policy.

Regarding this issue, there are several key aspects of the Public Prosecutor's Office Skopje: In the period covered by the application of the amendments and supplements to the Criminal Code related primarily to the criminal offense under Article 353 of the Criminal Code, based on registration data in the Public Prosecutor's Office Skopje in the period from 15 September 2023 to 31 December 2024, a total of 84 cases were submitted to the jurisdiction of the Basic Public Prosecutor's Office for prosecution of organized crime and corruption, which represented a significant influx of extensive and complex cases.

Through the analysis of the explanation of the reasons for which the cases are submitted to the actual jurisdiction of this prosecutor's office, various situations are noted that deserve special attention:

- a) Cases are submitted to the jurisdiction for criminal-legal events that occurred before the amendments to the Criminal Code began to be applied with regard to the crime under Article 353 paragraph 5 of the Criminal Code, regardless of whether investigative actions have been previously undertaken or not.
- b) in the cases submitted to the jurisdiction, there is no substantive analysis and verification of the allegations in the reports and the factual description of the event and the reasons are based on the explanation that these are officials under the jurisdiction of the Public Prosecutor's Office Skopje, and not responsible persons under the jurisdiction of the Public Prosecutor's Office Prosecuting Organized Crime and Corruption.

- c) Based on criminal charges filed by private applicants against several persons for reported criminal offenses - Criminal association under Article 394 of the Criminal Code, Abuse of official position and authority under Article 353 of the Criminal Code, contrary to the allegations in the charges or the factual description of the event, a conclusion is drawn that there is no organized group or criminal offense under the jurisdiction of the Public Prosecutor's Office Prosecuting Organized Crime and Corruption, without such a position being supported by a conducted inspection or investigative action.
- d) A partial decision is made and the cases are submitted to the jurisdiction of the Public Prosecutor's Office Skopje, only because the public prosecutor who acted on the case assessed that paragraph 5 of Article 353 of the Criminal Code was not met.
- e) Initial reports from Article 282, paragraph 1 of the Law on Criminal Procedure are immediately submitted to the jurisdiction of the Public Prosecutor's Office Skopje, citing the grounds in Article 274, paragraph 4 of the Law on Criminal Procedure, although it is not a matter of submitting a report to a competent public prosecutor, and the person submitting the report stated that he will work to uncover the criminal offenses and their perpetrators and will inform that prosecutor's office of the results with an appropriate submission.
- f) For reported criminal offenses related to public procurement, before the amendments to the Criminal Code come into effect, cases are submitted to the jurisdiction of the Public Prosecutor's Office Skopje with the explanation that it is not an offense committed during the performance of public procurement because the public procurement has been "completed" by the selection of a contracting authority.

These situations are emphasized for several reasons.

Following the previous court decisions, especially on appeals of verdicts, it is noted that the Skopje Court of Appeal, when it comes to the criminal offense of Abuse of Official Position and Authority under Art. 353 of the Criminal Code and after the amendments and supplements, does not problematize the actual jurisdiction and decides on the merits of the cases without a distinguishing element in the decision being the status of the accused person, i.e. whether it is an official or a responsible person. In fact, after the aforementioned amendments to the Criminal Code, in cases related to paragraph 5 of Art. 353 of the Criminal Code, the Skopje Court of Appeal has not yet issued decisions to revoke the first-instance verdict due to a substantial violation related to the actual jurisdiction of the courts within the meaning of Article 415 paragraph 1 item 6 of the Criminal Code, including for cases that were still in the first-instance procedure when the application of the amendments and supplements to the Criminal Code began. According to Art. 40 paragraph 1 of the Law on Criminal Procedure, the actual jurisdiction of the public prosecutor is determined according to the provisions that apply to the jurisdiction of the court for the area for which the public prosecutor is elected and by the Law on the Public Prosecution Service. The actual jurisdiction of the courts is determined in the Law on Courts and the court pays attention to it ex officio throughout the entire procedure. The legislator, guided by the need to establish a special specialized body that will prosecute perpetrators of crimes in the field of organized crime and corruption, resolved the issue of its actual jurisdiction with the Law on the Public Prosecution Service and the Law on Courts, as systemic laws whose adoption requires a two-thirds majority in the Assembly, and the Law on Amendments to the Criminal Code cannot have a legal and factual impact on the actual jurisdiction. We believe that these aspects are very important because the

supremacy of legal acts must be respected in the legal order. There is no legal argumentation and logic to disrupt the entire legislative real jurisdiction of the courts and public prosecutors' offices established in laws that are in force, by amending provisions of criminal offenses voted by 48 members of parliament for a law that is passed with a relatively simple majority, to disrupt the overall legislative real competence of the courts and public prosecutors' offices established in laws adopted by a two-thirds majority, as well as their functional and procedural powers regulated in the Law on Criminal Procedure. Finally, with no legal act does the legislator state that it is changing the concept of criminal prosecution of organized crime and corruption, which implies that from a specialized prosecutor's office and a specialized court department, organized crime and corruption will now be prosecuted and tried by the locally competent prosecutor's offices and courts, which indicates that this is not the purpose of the amendments to the Criminal Code.

25. Please provide us with an update on the ex-SPO cases.

ANNEX 14 – SPO cases.

26. Have there been any measures taken to ensure asset confiscation for corruption-related crimes?

In March 2024, the Law on the Office for the Recovery of Assets was adopted and entered into force in September 2024. This law regulates the establishment, competences and financing of the Office for the Recovery of Assets and its cooperation with domestic authorities and institutions and with foreign countries.

With the support of the EU IPA Rule of Law project, the by-laws arising from the Law on Amendments to the Law on Management of Seized Property and the Law on Asset Recovery were prepared.

For Agency for Management of Seized Property:

- 1. Rulebook for Management of confiscated assets
- 2. Rulebook for Regulation of the Activities of the Commission for Destruction of Firearms
- 3. Rulebook for Regulation of the Activities of the Commission for Destruction of Narcotic Drugs
- 4. Rulebook for Management and Transfer of frozen assets to NGOs, state bodies and other state agencies
- 5. Rulebook for using of the Confiscated Assets for Social Re-use
- 6. Rulebook for transfer of confiscated assets – vehicles
- 7. Rulebook for use of official cell phone
- 8. Rulebook of Employees' conduct
- 9. Rulebook for defining the procedure for payment and division of 7% of the value of the sold assets
- 10. Rulebook for management of the confiscated and frozen assets that consist of livestock and animals
- 11. Rulebook for calculating monthly salaries of the AMCP employees

For ARO:

- 12. Rulebook for defining the functions and content of the electronic database for the Asset Recovery Office
- 13. Rulebook cooperation between ARO, PPO, and other agencies involved in the procedure for civil confiscation.

On 13 August 2024, the Assembly adopted the Law on Ratification of the International Agreement on the Exchange of Data for the Verification of Asset Declarations, as a significant international instrument that enables the authorities of the state parties to cooperate in the direct administrative exchange of data and information for the verification of asset declarations and interests.

27. What has been the progress regarding the use of special investigative measures? Could you share statistics?

Data on the use of special investigative measures are contained in the track record tables.

28. What has been the progress on the cooperation between the relevant crime prevention and enforcement structures? Have there been any measures to enhance the cooperation between SCPC and OCCPPO?

In November 2024, a Protocol was signed between the Ministry of Interior - Bureau of Public Security and the Ministry of Finance - Customs Administration for the implementation of the Memorandum of Cooperation between the Ministry of Interior and the Ministry of Finance in order to strengthen activities in the fight against corruption, prevent and detect organized and all types of crime, implement border management responsibilities and perform work tasks arising from the direct cooperation between the two institutions, at national, regional and local levels.

The cooperation of the Customs Administration with the Ministry of Interior - Passenger Data Analysis Department - Advance Passenger Information and Passenger Name Record has been deepened.

Working meetings were held between the Customs Administration and representatives of the Directorate for Security and Counterintelligence and the Operational Technical Agency, at which activities were agreed upon for obtaining security accreditation for the premises used by the Special Investigative Measures Sector at the Customs Administration.

During 2024, the Financial Intelligence Unit established electronic communication (electronic submission of reports and notifications and receipt of initiatives) with the SCPC and with several additional organizational units in the Ministry of Interior (the Counter-Terrorism Department, the Cybercrime Department, the Financial Investigations Unit), whereby currently the exchange of documents and data with all investigative bodies (Ministry of Interior, the Criminal Investigation Department and the Central Investigation Unit) and with the SCPC takes place electronically,

through the IT system of the Unit through designated persons from all investigative bodies and the SCPC.

In order to ensure enhanced cooperation between the SCPC and the Public Prosecutor's Office, with the support of the EU IPA 2020 Rule of Law (RoL) - Component 1, activities were carried out to prepare a new Memorandum of Cooperation. As part of this process, an analysis of the current Memorandum was made and meetings of contact points from both institutions were held to find ways.

In October 2024, the first draft of the new Memorandum of Understanding (MoU) between PPO and SCPC was prepared, and the process of signing it is in its final phase.

In November 2024, the first practical simulation between SCPC and PPO was organized within the framework of the USAID Partnership Against Corruption project.

Following the signing of the Memorandum, standard operating procedures will be developed for both institutions.

29. What has been the progress on the number of referrals by SCPC to law enforcement for judicial follow-up?

It can be concluded that there is significant progress in terms of cooperation between institutions in the area of checking the allegations in the reports, each within its legal competences and taking appropriate activities and measures by the institutions.

In the area of submitted initiatives for criminal prosecution in the electoral process, out of 6 submitted initiatives, the Public Prosecutor's Office has taken action on 2 initiatives.

In the area of preventing corruption, 4 initiatives for criminal prosecution have been submitted by the SCPC, but there has been no response to them yet.

In total, for the years 2022-2024, out of 45 submitted initiatives for criminal prosecution, a response has been given for 29.

Status of cases, with the status of initiatives by a competent authority

Initiatives	Criminal	Responses from PPO	PPO Acts	Verdicts/Indictment	Rejected by the Public Prosecutor's Office	No response from PPO
2022	12	11	5	0	6	1
2023	29	18	7	1	10	11
2024*	4	0	0	0	0	4

30. What has been the progress on the implementation of recommendations issued by the State Audit Institution?

The cooperation of the State Audit Office with the Public Prosecutor's Office is carried out on the basis of the provision of Article 35 of the Law on State Audit, which stipulates that the authorized state auditor, if during an audit he assesses that the auditee has committed a misdemeanour or a criminal act, is obliged to immediately notify the competent authorities.

In order to operationalize the above-mentioned provision, which is one of the key provisions in the legal framework for the prevention and fight against corruption, a Memorandum of Cooperation was concluded between the State Audit Office and Public Prosecutor's Office, and internal Instructions were adopted in both institutions, which provide for official communication between authorized persons for coordination.

The process is carried out through the exchange of information, materials, attachments from the supporting documentation, including a formalized form for the ascertained conditions from the audits for the purpose of detailed information to the Public Prosecutor's Office in each individual case.

Appropriate technical meetings are also held to review issues of importance for further pre-investigation/investigation activities as well as the possible filing of an indictment.

During 2024, the Public Prosecutor's Office continued to provide and feedback to the State Audit Office on progress and the results of the actions taken in relation to the submitted notifications of findings from the final audit reports for which public prosecutorial action has been requested.

31. Have there been any developments regarding the mandates of the OCCPPO and PPOs on the fight against corruption, including at high level, and organised crime? Please detail the consequences of these changes in mandate.

In September 2024, a special Department for Combating Serious and Complex Crime was established in the Basic Public Prosecutor's Office in Skopje in order to give special emphasis to the National Strategy for Combating Complex and Serious Crime, and given the fact that all state institutions are located in the capital. This allows for effective access to criminal reports and cases that contain or assume activities that require specialized actions, especially in the pre-investigation procedure.

32. Have there been any developments regarding the regulation of revolving doors, conflicts of interests, lobbying and political party financing? In particular, have there been any developments concerning the lobbying register? How many lobbyists have been registered? (If this is still none, what are the reasons for that?)

There is no change in the regulation of restrictions regarding prohibitions on performing certain activities after termination of office, conflict of interest and lobbying, given the fact that the Law on Prevention of Corruption and Conflict of Interests is in the process of being amended.

The Register of Lobbyists, Lobby Organizations and Lobbying has so far recorded 32 bodies that have fulfilled the obligation to adopt an internal act (Article 24 of the Law on Lobbying).

During 2024, an application for registration of 3 (three) lobby organizations in the Register of Lobbyists, Lobby Organizations and Lobbying was submitted and approved.

With the support of the EU IPA Rule of Law project, in the period from 31 October to 1 November 2024, in cooperation with the Business Confederation of the Republic of North Macedonia, the first workshop was held to encourage and introduce lobbying as a concept of transparent representation of interests before office holders and decision-makers before representatives of the business community.

33. What has been the progress regarding the legal framework on whistleblower protection's alignment with the EU *acquis*?

After analyzing the implementation of the existing Law on Whistleblower Protection, with the aim of transposing EU Directive 2019/1937 and incorporating international standards and good practices in the field, a Draft Law on Protected Reporting and Whistleblower Protection has been prepared. The government procedure for the Draft will continue after receiving the opinion of the European Commission experts. The planned deadline for the adoption of the new Law is the end of 2025. The implementation of the new Law is expected to be postponed for a period of 1 year, in order to allow institutions and private sector entities to prepare.

34. Have there been any developments regarding the main reasons for the low number of whistle-blowers' reports i.e. self-censorship and lack of trust in the effectiveness of protection measures?

A new Law on Whistle-blowers Protection and Protected Reporting is currently being prepared, which establishes enhanced measures for the protection of whistle-blowers - persons who report allegations of suspected illegalities in the operation of public and private sector institutions, after whose adoption it is expected to have good results both in terms of the number of reports submitted by whistle-blowers and in the efficiency of measures for their protection.

Respecting the principles of legality, transparency, accountability and responsibility, fulfilling the provisions of Article 15 paragraph (2) of the Law on Whistle-blower Protection, the SCPC will present the Annual Report on received reports from whistle-blowers in 2024 within the framework of the SCPC Annual Report for 2024.

Below is the status of the activities undertaken related to the implementation of the LWP and its by-laws by the SCPC and other public sector institutions since the start of the application of the LWP as of 31 December 2024.

Year	Number of institutions	Number of institutions with authorized persons	Number of authorized persons	In %
2021	1324	178	179	13,44%
2022	1324	200	201	15,10%
2023	1324	207	208	15,63%
2024	1324	217	223	16.38%

Public sector institutions are obliged to submit semi-annual reports on receipt of reports from whistle-blowers, which should contain general statistical data and data on cases filed following received reports, in accordance with Article 15 of the Law on Public Information.

Year	Period	Public sector institutions	Private sector legal entities	Total	Institutions that received declarations	Reports submitted -
2021	01.01-30.06	75	8	83	4	25
	01.07-31.12	75	7	82	3	19
2022	01.01-30.06	103	10	113	4	17
	01.07-31.12	118	5	123	5	7
2023	01.01-30.06	107	8	115	6	11
	01.07-31.12	126	7	133	2	4
2024	01.01-06	106	8	114	3	3
	01.07.-31.12	125	5	131	2	3

35. Could you please report on the review of whistleblower reports and their outcome since the publication of the 2024 Rule of Law Report?

In the period 01.01.2024 - 01.12.2024, a total of 231 reports from public sector institutions and 15 reports from private sector legal entities were submitted to the State Commission for the Prevention of Corruption. In the submitted reports, five (5) institutions reported that the authorized persons in those institutions received a total of 6 reports from whistleblowers, after which actions and measures were taken in accordance with the Law on Whistleblowers Protection and the by-laws.

36. Have there been any developments regarding election related irregularities (corruption, misuse of state resources), limited transparency in public procurement procedures, internal checks and inspection mechanisms in the public administration?

Yes.

According to the grounds for action, the SCPC initiated criminal prosecution on the grounds of:

- "Abuse of official position and authority" - without consent for financial resources provided by the Ministry of Finance, the director concluded author's contracts for the engagement of persons, during the election period;
- "Unscrupulous work in the service", - due to making decisions for the deployment of employees in the election process, i.e. for the termination of concluded employment contracts and the conclusion of new contracts, during the election period;
- exceeding its authorizations in the procedure for the engagement of persons through service contracts, signed only by the organizational director, during the election period;
- dismissal of the Medical Director of the University Clinic of State Cardiac Surgery Skopje as well as the Medical Director of the University Clinic of Toxicology Skopje, during the election period;
- appointing an acting director of a kindergarten, without fulfilling the legal requirements and concluding contracts through an author's agency without obtaining the consent of the Ministry of Finance, during an election period;
- adopting a Decision on the distribution of employees, horizontally, promotions and demotions, during an election period.

37. Please inform us of the activities taken to address all outstanding GRECO recommendations.

Currently, the Republic of North Macedonia has only one evaluation round open – the 5-th evaluation round, which is on the topic: "Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies".

In the Second Compliance Report – Fifth Evaluation Round adopted in June 2023, GRECO concluded that North Macedonia had satisfactorily implemented 13 out of a total of 23 recommendations given in the Fifth Round Evaluation Report. Of the remaining recommendations, 9 recommendations have been partly implemented and 1 recommendation has not been implemented.

The last situation report (Third situation report) for the Fifth Evaluation Round of the Republic of North Macedonia was submitted to GRECO in September 2024 (**ANNEX 15 – Third situation Report of Republic of North Macedonia**). This report informs about the progress in the implementation of the remaining GRECO recommendations from the 5-th Evaluation Round, for each recommendation individually, and especially highlights:

- Recommendation No 4 (*to amend government rules to ensure that the names and function of all attendees of government sessions, sub-committees and working groups, including any third parties, are publicly accessible online*) – On December 17, 2024, a [new Rules of Procedure of the Government](#) were adopted, which fully incorporated this GRECO recommendation (Article 92, paragraph 2).
- Recommendation No 9 (*to analyze the practical application of the system of sanctions in respect of violations of conflicts of interest, integrity and anti-corruption legislation/regulation and ensuring that the sanctions are effective, proportionate and dissuasive*) - With the support of the Project against Economic Crime of the EU and CoE, in May 2024 an Analysis of the provisions of the Law on the Prevention of Corruption and Conflict of Interest was prepared, in terms of efficiency, proportionality and deterrent effect of the prescribed sanctions. The working group for preparation of a Draft Law Amending and Supplementing the Law on the Prevention of Corruption and Conflict of Interest, in its work, takes the GRECO recommendations as a priority for amending the provisions of the law in the direction of improving the system of sanctions and works on their incorporation into the text of the law. The deadline set to submit the draft-law to the Government is December 2025.
- Recommendation No 10 (2) (pertinent measures to be taken in order to ensure individual police officers' duty to comply with the existing rules on integrity and impartiality in order to carry out their functions in a politically neutral manner in practice (e.g. through awareness, training, sanctions etc.) - in the period beginning from 19.04.2023, when the Law on Amendments and Supplements to the Law on Internal Affairs came into force, the Department for Internal Control, Criminal Investigations and Professional Standards of the Ministry of the Interior carried out inspections in 7 (seven) cases after receiving information, i.e. submitted complaints about political activities of certain employees of the Ministry of the Interior (exerting political pressure on employees, participation in political gatherings, publishing of content on social networks with political and party connotation). In 3 (three) of the reported cases, disciplinary procedures were initiated against the employees, and in 4 (four) cases, insufficient evidence was established.

The next GRECO report on the Republic of North Macedonia for the Fifth Evaluation Round is scheduled to be adopted at the next GRECO plenary session to be held in the period 17-19 March 2025 in Strasbourg.

The fourth evaluation round: “Corruption prevention in respect of members of Assembly, judges and prosecutors” was terminated in December 2023, with the adoption of the Second Addendum to the Second Compliance Report. According to this report, out of 19 recommendations given in the Fourth Evaluation Round, 14 recommendations have been implemented satisfactorily, 4 recommendations have been partly implemented and 1 recommendation has not been implemented. In the period from the adoption of this report and its publication until now, the competent institutions have undertaken activities for the further implementation of the recommendations that remain to be implemented:

- Recommendation No 3 (to introduce rules on how Members of Assembly engage with lobbyists and other third parties who seek to influence the legislative process) –The

Assembly of the Republic of North Macedonia on 25.01.2024 adopted a Rulebook for establishing, recording and identifying contacts for the purpose of lobbying in the adoption of laws and other acts in the Assembly of the Republic of North Macedonia and for ensuring transparency of the processes, [published on the Assembly's website](#).

- Recommendation No 4 (1) (the sanctions are provided in the relevant laws for all infringements they contain) – it corresponds with the Recommendation No 9 of the Fifth evaluation round – the info is given above.

Recommendation No 16 (2) (the disciplinary regime applicable to prosecutors to be reviewed so that the range of available sanctions be extended to ensure better proportionality ensuring, in particular, that dismissal of a prosecutor is only possible for the most serious cases of misconduct) - a new Law on Public Prosecution is being prepared and this GRECO recommendation will be incorporated in the law and the disciplinary regime for prosecutors will be revised accordingly. A working group has been established to work on this law and it holds regular working meetings. Within the framework of the EU project IPA 2020 Rule of Law, an Analysis with guidelines for the implementation of this recommendation has been prepared by an expert from the Council of Europe. The analysis contains an overview of international standards as well as a proposal for alternative solutions for regulating the sanctioning regime for prosecutors with an appropriate gradation of sanctions. The Analysis has been submitted to the working group and the expert who prepared it participated in the meetings of the working group. The deadline for adoption of this Law is December 2025.

III – MEDIA PLURALISM AND MEDIA FREEDOM

1. What are the key mechanisms in place to ensure the financial and institutional independence and effectiveness of the Agency for Audio and Audiovisual Media Services, and how are they being implemented in practice? What are the expected outcomes in terms of improving the regulation of the media sector?

According to Article 105, paragraph 1 of the Law on Audio and Audio-visual Media Services, "funds for financing the broadcasting activity, for the operation and development of the Macedonian Radio and Television, the PE Macedonian Broadcasting and the Agency for Audio and Audio-visual Media Services are provided from the Budget of the Republic of North Macedonia, in the amount of 1% of the realized tax revenues determined in the last adopted final account of the budget of the Republic of North Macedonia.

The funds for financing the broadcasting activity this year will be paid in the full amount provided for by the law for all three institutions. The Ministry of Digital Transformation is paying out the overdue funds for 2023 for the Macedonian Radio and Television, Macedonian Broadcasting and

the Agency for Audio and Audio-visual Media Services. By consistently implementing the legal responsibilities related to securing funds for financing broadcasting activities, the obligations arising from the adopted Roadmap for the Rule of Law are being fulfilled, aimed at financial independence and increasing the capacities of the regulator and the public service. Improving the regulation in the media sector will contribute to greater transparency of the media, better protection of journalists and media workers, reducing the flow of disinformation, greater trust in the media and their financial stability.

2. Have there been any developments regarding the procedure governing the appointment and dismissal of the head and members of the collegiate body of media regulatory authorities and bodies, specifically the media regulator's Council? What are the key challenges facing the Council of Media Ethics, and what measures are being taken to support its work and promote media ethics in North Macedonia?

The procedures for appointing members of the Council of the Agency for Audio and Audio-visual Media Services and the Program Council of the Macedonian Radio and Television are under the jurisdiction of the Assembly. The procedure for appointing new members of the Council of the Agency for Audio and Audio-visual Media Services began in October 2024, when the Assembly announced a public call for the appointment of members of the Council. Out of the 24 applicants who met the conditions of the call, 22 candidates presented their biographies and visions for the work of the media regulatory body to the MPs, after two candidates withdrew their applications. The Elections and Appointments Committee held a session in November, during which a public debate was held on the candidates. According to the law, candidates must have at least eight years of professional experience in the field and must have distinguished themselves in the public in the field of communicology, journalism, IT, culture, economics or law. The procedure for appointing new members of the Program Council of the Macedonian Radio and Television has not yet been initiated.

The Media Ethics Council, as the only media self-regulatory body, works on promoting this mechanism to raise citizens' awareness of their right to contribute to better quality journalism by using the tool for submitting complaints to the Ethics Council if they suspect that the media is violating the Code of Journalists and professional standards.

3. What are the key gaps and challenges in ensuring transparency of media ownership and what measures are being taken to address these gaps? Are there any developments regarding the ownership information of digital media outlets?

Transparency of ownership of broadcasters is ensured both in regulation and in practice. Data on the owners of broadcasters are published on the Agency's website and are regularly updated. Thus, the Agency provides the public with direct, easy and permanent access to this data, which also includes the ultimate owners of television and radio stations. This is official data, provided

by the Trade Register of the Central Registry of North Macedonia, as well as the Beneficial Ownership Registry.

Broadcasters publish ownership data three times a year in their program, and the Agency's monitoring shows a high degree of fulfilment of this obligation (in 2024, all broadcasters fulfilled the obligation within the three stipulated deadlines). In addition, the Agency also prepares regular annual reports on media ownership, which are also available on the Agency's website, in which the owners of television and radio stations also publish data on the owners of print media publishers.

The challenge remains to establish an obligation to ensure transparency of ownership of digital media. In January 2025, in the Opinion that the Agency submitted to the Ministry of Digital Transformation, regarding the Draft Law on Amendments to the Law on Media, it pointed out that greater transparency in the operations of online media publishers would be ensured if an obligation was introduced for them to submit data on ownership and financing to the regulator once a year. The Agency will publish this data on its website, thus ensuring easy and constant access to this data for the public. The data on the owners of online media publishers will also be incorporated into the Agency's regular annual reports on media ownership.

At the same time, data on the economic operations of online media (revenues, expenses and their structure) will be included in the annual market analyses prepared by the Agency. This will provide more comprehensive insights into the state of the media industry. The amendments to the Law on Media will establish clear rules for regulating online media in terms of activity and ownership, thus ensuring transparency and openness in operations. The Register of Online Media Publishers will contain data on the company and its headquarters, including the name and address of the online media publisher, as well as the name and surname of the responsible person of the publisher of the online media.

4. Are there any developments concerning the legal framework for online/digital media?

The Ministry of Digital Transformation, in cooperation with a large number of stakeholders in the media sector, prepared a draft law amending and supplementing the Law on Media in order to revise the legal framework by regulating online media. The draft law was published on the Single National Electronic Register of Regulations (ENER). Within the legally stipulated 20 days, all interested parties were able to provide their views, comments and suggestions. The law is in government procedure and is expected to be adopted by the end of the first quarter of 2025. It is envisaged to establish a Register of Online Media with clear rules for the registration of online media that wish to be part of this register. The obligation for the legal regulation of online media stems from the Roadmap for the Rule of Law, which lists specific measures and activities for revising the legal framework. The draft law amending and supplementing the Law on Media sets out clear rights and obligations for online media in the area of imprint, protection of minor audience, ensuring public transparency in operations, as well as establishing penal provisions in

case of a violation of the law. The draft law is currently in government procedure. The Agency for Audio and Audio-visual Media Services, as the competent regulatory body, will maintain the Register of Online Media Publishers, which will contain data on the company and headquarters, i.e. name and address of the publisher of the online media-internet portal, name and surname of the responsible person of the publisher of the online media-internet portal, the name of the online media-internet portal, at least two persons in regular employment and data on the registrant of the Macedonian .mk or .mkd internet domain.

The amendments to the Law on Media are expected to eliminate the existing problems with internet portals in North Macedonia, by establishing a legal framework that recognizes them as media, with clear rules for their establishment and registration. It will also ensure the strengthening of freedom of speech, as well as greater credibility among the audience in relation to the media that have registered as such. All of this will help eliminate or reduce the flow of disinformation and fake news in online media.

5. What are the mechanisms for protection of editorial independence in online/digital media?

The mechanisms for protecting editorial independence stem from the regulations that guarantee freedom of expression and freedom of the media. They are defined in Article 3 of the Law on Media. This includes in particular: freedom of expression, independence of the media, freedom to collect, research, publish, select and transmit information in order to inform the public, media pluralism and diversity, freedom of the flow of information and openness of the media to different opinions, etc. By including online media in the Law on Media, their freedom of expression, as well as editorial and media independence, will be further enabled.

6. Are there any developments with regards to ODIHR recommendations on election campaigns and media, including social media?

The Working Group for Reform of Electoral Legislation established by the Ministry of Justice in 2023, prepared proposals for amendments to the Electoral Code that included provisions related to these ODIHR recommendations. There have been no changes in the reporting period regarding the adoption of the draft Electoral code.

7. Are there any developments regarding the rules on media concentrations, operation of media service providers, capital entry requirements, corporate governance or granting/renewal/termination of licenses to media service providers?

There have been no changes to the regulation in this regard yet. Within the framework of the EU-funded EU Freedom of Expression Project "Harmonization of National Media Legislation with EU Law and Media Standards", experts have prepared an Analysis of the Media Market and the Legal and Policy Frameworks for Competition and Pluralism, European Standards and Best Practices. It will serve to improve the legal framework.

8. What are the key concerns and implications of the reintroduction of state-funded advertising, and what measures are being taken to address these concerns and ensure that the media sector is not subject to undue political influence?

The amendments to the Law on Audio and Audio-visual Media Services regulating state campaigns introduce a transparent, democratic and non-discriminatory way of conducting state campaigns that will be of an educational-informative nature on issues that are covered and current for certain settlements or the state. During one year, at least one state campaign can be conducted at the state level, without topics related to political and diplomatic activities, topics that promote the services or policies of state or local government bodies, nor topics related to party activities. Hence, the media will not be subject to any political or party influence.

9. What are the key challenges facing the Public Service Broadcaster, and what measures are being taken to support its work and ensure its independence and effectiveness?

All challenges and measures that need to be taken to support the public service for its independence and effectiveness are listed in point 12 which pertains to changes regarding the adequacy of resources (financial, human, technical) for regulatory authorities and media bodies.

10. Please update us on developments on the specific rules and measures in place to safeguard the independence of heads of management and members of the governing boards of public service media, including appointment and dismissal procedures, operational independence, reporting obligations, resource allocation, and ensuring plurality of information and opinions.

According to the Law on Audio and Audio-visual media services (LAAVMS) the members of the Macedonian Radio Television (MRT) Program Council are appointed and dismissed by the Assembly on the basis of a previously conducted public call and an organized public debate for the candidates for members of the Program Council. The members of the MRT Supervisory Board are elected by the MRT Program Council on the basis of a previously conducted public call procedure. The conditions and procedure for the election and dismissal of a member of the MRT Supervisory Board are determined by the Statute of MRT.

11. Have there been any updates on the appointments in the Programme Council of the public service broadcaster?

There are no changes in the reporting period.

12. Have there been any changes regarding the adequacy of resources of the (financial, human, technical) media regulatory authorities and bodies?

According to the amendments to the Law on Audio and Audio-visual Media Services (LAAVMS) from July 2023, the total funds for MRT, PE Macedonian Broadcasting and the Agency for Audio and Audio-visual Media Services (AAVMS) are in the amount of 1% of the realized tax revenues determined in the last adopted final account of the Budget of the Republic of North Macedonia. Of these, 5% are allocated to AAVMS. In December 2024, the Ministry of Digital Transformation fully paid off the debt to the Agency for the financing of broadcasting activities for 2023 and 2024. In the State Budget for 2025, the planned funds are fully in line with the legal provisions, and the payments made so far are in line with the legal provisions relating to the financing of the Agency. The Agency currently employs 54 people in a regular employment relationship, and additionally 3 people have been hired through the Agency for Temporary Employment. With the amendments to the LAAVMS of 2023, the Agency's competences have been extended to other entities (video-sharing platforms and natural persons providing audio-visual media services on demand) and in relation to the content that is subject to regulation. Therefore, for their successful implementation, it is necessary to improve the technical and technological capacities of the Agency.

Currently, the regulator uses a system for monitoring TV program services and cable operators that was implemented in 2015, financed through the IPA 2011 program (Component I - Transition Assistance and Institutional Building (TAIB) 2011). The conceptual solution for the system dates back to 2011, which was the most modern at that time. Considering that the equipment is outdated and inadequate for fulfilling the new responsibilities and that the regulator does not have the financial resources to fully renew the monitoring system, in August 2023, the Agency sent an expression of interest to the then Ministry of Information Society and Administration (now the Ministry of Digital Transformation) to obtain financial resources through the European Commission's pre-accession assistance instruments, for the procurement of equipment that will be appropriate to the new requirements of the Law. This system is planned to be integral, i.e. hardware with accompanying software and a specialized software solution.

In the meantime, while the funds for the complete replacement of the system are secured, the Agency has provided finances in its financial plan for 2025 for the procurement of the basic modules of the system, which will enable the start of monitoring of the new entities. These modules will need to be upgraded and expanded with other functionalities for the full and consistent fulfilment of the legal responsibilities. At the same time, the Agency is making efforts in cooperation with IFES-Macedonia to provide funds for the development of special software for monitoring paid political advertising (PPA), which will facilitate the work of the Agency in relation to the obligations under the Electoral Code.

For the debt to MRT from 2023, an agreement was signed between MRT and the Ministry of Digital Transformation for the payment of unpaid funds to MRT in 2023, while for 2024, MRT has received funds in accordance with the Law on Audio and Audio-visual Media Services. For 2025, funds for MRT are provided in the Budget of Republic of North Macedonia in accordance with the Law on Audio and Audio-visual Media Services. Stable funding means a stable and independent public service, which we can currently emphasize. As of January 2025, MRT employed 629 people, of which 524 are public service providers, 37 are technical support staff, and 68 are administrative staff. The average age is well above the average, and approximately 30 people retire annually on average.

A long-standing issue of the Public Service is the problem of promoting employees and hiring new people, specifically the inability of MRT to independently recruit already qualified personnel, as well as potential new personnel for the function of the program. Also, a bigger problem is the identification of the public service with all other public enterprises (water supply, public transport, etc.) without taking into account the role of the public service in society.

MRT currently operates with the most modern technology, i.e. it owns the two largest studios in the country – one with augmented and the second with virtual reality and is up to date with the latest technical and technological achievements.

13. Have there been any developments with regards to strengthening of media self-regulation in the country?

The Media Ethics Council presented the plan and organizational capacities for strengthening media self-regulation to the institutions responsible for the areas of the media sector, such as the Ministry of Digital Transformation, with a suggestion for support through a legal basis for the implementation of the business plan. So far, there are no specific activities in that direction, i.e. to support the Council of Ethics and media self-regulation in the country.

14. Have there been any developments regarding media independence, and notably regarding the intersection of political, business, and other interests, in terms of funding and content? Have any new safeguards been introduced in the reporting period against state, political, and economic interference implemented to maintain editorial independence and protection of journalistic sources and communications in both private and public media?

Systemic solutions and effective implementation of regulations can reduce the risks of inappropriate influences on media content. Several initiatives have been taken over the past year to strengthen the protection of the media from external influences. In addition, the adopted protocols for the protection of journalists, especially when reporting on sensitive topics, represent a significant step forward. However, the implementation of these measures remains a

major challenge. Regarding the protection of journalistic sources and communications, there are legal solutions, but their consistent application in practice is of essential importance.

15. What are the key challenges and gaps in ensuring access to public information, and what measures are being taken to address these challenges and promote transparency and accountability in the public sector?

In order to facilitate access to public information, activities are underway by the working group for amendments to the Law on Free Access to Public Information, chaired by representatives of the Agency.

Based on the results of the conducted analyses, as well as the reasons for which complaints were filed, the conclusion remains that despite the reduced number of complaints, in percentage terms, silence still represents a serious problem among Information Holders, and thus a major challenge for the Agency. This is evident from the number of complaints filed with the Agency in the past 2024, which relate to the silence of the administration, namely 246 complaints or 69.49% of the total 354 complaints filed.

Regarding the proactive publication of information on the websites of the holders, and during 2025, the holders that will be monitored are the State Administration Bodies, and the Agency has this obligation in accordance with the Strategy for Public Administration Reform. Monitoring will also be conducted on the Municipalities and the Centres for Development of Planning Regions. In 2025, in accordance with the Methodology for conducting monitoring for proactive disclosure of public information, monitoring will also be conducted on Public Enterprises under the jurisdiction of municipalities and the City of Skopje and Public Enterprises and Joint Stock Companies in state ownership.

On 13 August 2024, the Assembly adopted the Law on Ratification of the Council of Europe Convention on Access to Official Documents, as an international legal instrument that recognizes the right of everyone to access official documents held by public authorities without discrimination and regardless of the status or motives of the applicant for seeking access.

16. Has there been any progress regarding the effective implementation of the Law on access to information?

Yes. The number of complaints submitted in 2024 is a total of 354 complaints, compared to previous reporting years where the number of complaints was drastically higher. This is the result of the training of officials for mediation with public information that the Agency regularly organizes, as well as the increased proactive, updated publication of data on the websites of institutions holding public information. In its work, the Agency, as an added value, monitors the websites of holders of public information.

The purpose of the monitoring is to detect the situation in the implementation of the obligation of holders of public information to proactively publish the 22 categories of information on their websites set out in Article 10 of the Law on Free Access to Public Information (LFAPI). This helps in the realization of the competence of the Agency for the Protection of the Right to Free Access to Public Information to implement the provisions of the LFAPI and increase the capacities of the holders of public information in terms of their greater transparency and openness. Also, the monitoring contributes to better identification of the training needs of officials among the holders of information. The reference framework for monitoring is the questionnaire developed specifically for this purpose based on the categories listed in Article 10 of the Law on free access to information of public character.

The questionnaires distinguish relevant questions for the groups of holders that are monitored. In 2024, the Agency conducted two monitoring: of municipalities and state administration bodies. From the results obtained, the proactive transparency of the monitored holders is generally as follows:

- Municipalities in the Republic of North Macedonia: medium level of transparency and
- State administration bodies: medium level of transparency

The results of the monitoring also serve the Agency to continuously organize trainings for officials in the institutions, placing special emphasis on active transparency and the consistent application of Article 10 of the Law. These trainings will help officials not only to understand legal obligations, but also to improve the availability of information that is of public interest.

Active transparency plays a key role in:

- Improving citizens' understanding of the functioning of institutions.
- Enabling citizens to exercise their rights and obligations.
- Encouraging participation in decision-making that affects their lives.
- Easy access to public services offered by institutions.
- The manner of spending budget funds, etc.

Only by continuously improving transparency and accountability will institutions strengthen trust among citizens and increase the quality of services. Through visibility, proactivity, and constant updating of information, holders can become an example of effective and accountable governance.

17. Have there been any developments (including case law) regarding restrictions to the right of access to information and public documents to the public and journalists, including procedures, costs/fees ?

There is no significant deviation in providing access to information and public documents, except for certain institutions - holders of information, as individual cases, which will be listed in the Agency's Annual Report. In terms of costs/fees, the Agency reports that there are no recorded

cases of collection, because according to the Law on Free Access to Public Information, access is free of charge, except for material costs, which is also not practiced.

18. What has been the progress regarding the improvement of labour rights of journalists and media workers, including work conditions and job security?

The Association of Journalists of Macedonia (AJM) continuously works to protect and promote the rights of journalists and media workers, including working conditions and safety. In recent years, some positive developments have been noted in the legislation, such as amendments to the Criminal Code that toughen the penalties for attacks on journalists and media workers. However, the implementation of the laws in practice is still a challenge, especially in cases of online harassment and gender-based violence against female journalists. AJM actively monitors and documents cases of rights violations and advocates for greater institutional efficiency in their resolution. Although there are challenges such as the economic instability of the media and precarious employment contracts, AJM continues to encourage journalists to organize and use trade union mechanisms to protect their rights. Through trainings and workshops, the capacities of journalists for safe reporting are strengthened, with a special focus on digital security and dealing with stressful situations. AJM also actively works to promote ethical journalism and professional standards, which are crucial for preserving the reputation of the profession and providing a safe and encouraging work environment.

19. Has there been progress regarding safeguarding journalists from verbal and physical attacks, smear campaigns and strategic lawsuits against public participation (SLAPP) against journalists? Please provide the number of defamation cases filed against journalists in the reporting period.

In the Republic of North Macedonia, there is no legal protection of this type, but in practice this type of lawsuit does not represent a significant problem in the country, given that in 2024, 8 SLAPP lawsuits were registered by the Association of Journalists of Macedonia (AJM). The Association of Journalists of Macedonia (AJM), which is a member of the European Federation of Journalists (EFJ) and the International Federation of Journalists, is concerned with the protection and promotion of the rights and status of journalists. The Association offers free legal assistance to journalists and provides legal protection in proceedings before the courts in the country, i.e. the Association of Journalists offers free legal assistance to every journalist who is the subject of a SLAPP.

And as a model for improving the legislation in this area, in November 2022, a new Law on Civil Liability for Defamation and Insult was adopted. In addition, the concept of the law is defined in such a way that compensation for damage is provided as a last resort, while other mechanisms for exercising rights are provided before it. Thus, special attention is paid to mitigating the damage and it is mandatory that before filing a lawsuit for compensation for the damage, the

natural person or legal entity to whom the damage was caused by insult and defamation takes measures to mitigate the damage, by requesting an apology and public withdrawal. ,

Regarding attacks on journalists and their safety, in order to improve the provisions of the Criminal Code, the Assembly adopted legal amendments and supplements to the Criminal Code on 13 February 2023. First of all, qualified forms have been introduced in the criminal offense of Murder, Coercion, Endangering Security, where we have higher penalties. And as a special novelty in the criminal offense of Obstructing an Official in the Performance of an Official Act, where according to paragraph 2, when this act is committed against a journalist or other media worker in the performance of his professional duties, it will be considered as preventing an official in the performance of an official act. However, the most significant novelty is that all these crimes will be prosecuted *ex officio* by the public prosecutor as the protector of the public interest.

Within the Public Prosecutor's Office, 4 public prosecutors have been appointed, namely from the Public Prosecutor's Office Skopje, Public Prosecutor's Office Shtip, Public Prosecutor's Office Tetovo and Public Prosecutor's Office Bitola, who are responsible for coordinating and monitoring cases related to attacks on journalists.

The Association of Journalist of Macedonia (AJM) is continuously working to strengthen the protection of journalists from verbal and physical attacks, damage to reputation and strategic lawsuits against public participation (SLAPP). Although there has been some progress in raising awareness of these problems and strengthening solidarity in the community, the situation is still worrying. We are noticing a trend of decreasing physical attacks, but online harassment and discredit campaigns are on the rise, especially targeting women journalists. Strategic lawsuits (SLAPP) remain a significant pressure, which financially exhaust the media and limit freedom of expression.

In the context of lawsuits for insult and defamation, according to data received from the Basic Civil Court Skopje for 2024, there are 15 cases where the filed lawsuits relate to insult and defamation, and in which cases at least one of the parties (plaintiff - defendant) are journalists or media. This is an increase compared to 2023, when 12 cases were registered. AJM continues to monitor these cases and provide legal assistance to the journalists concerned.

In the frames of the Ministry of Interior, in September 2024, a Manual on the safety of journalists was promoted. It was developed in cooperation with the prosecution and the Association of Journalists. Among other things, this Manual aims to present the novelties in the legislation relating to the additional protection of journalists and media workers, who, according to the amendments and supplements to the Criminal Code of 2023, receive a higher level of protection and an attack on them will be treated as an attack on an official.

20. Has there been any progress regarding the de-criminalisation of defamation?

No changes in the reporting period. The Law on Civil Liability for Defamation and Insult was adopted in November 2022. The answer is given within the framework of the previous question.

21. What has been the progress on the enhancement of monitoring and transparent reporting of judicial cases involving journalists and media professionals?

Over the past two years, the Association of Journalist of Macedonia has been actively working to improve the monitoring and transparency of court cases involving journalists. Progress has been made, particularly through easier access to information on court trials involving journalists or media workers, legal support for journalists, and monitoring in cooperation with international partners. However, challenges remain, such as delays in trials and inconsistent application of laws. The AJM will continue its efforts for more effective judicial protection and promotion of media rights.

Responses regarding monitoring and transparent reporting of court cases involving journalists and media professionals are contained in the section on judicial transparency.

22. What has been the progress on legal assistance and support from media outlets in cases of attacks against journalists?

The Association of Journalists of Macedonia (AJM) has made significant progress in providing legal aid and support to journalists facing attacks and threats. The free legal support provided includes legal representation, document preparation and counselling, in order for journalists to receive adequate protection at all stages of the legal process. Additionally, through cooperation with the Ministry of Interior and the Public Prosecutor's Office, there are faster and more efficient investigations, reacting whenever there is a delay or lack of activity in cases. AJM has established a system for recording and monitoring attacks on journalists, whereby each incident is carefully monitored and analysed. The results of these analyses are regularly published in reports in order to raise public awareness of the seriousness of such cases. Through the support of international organizations, resources are provided, and local cases are linked to global initiatives to protect freedom of expression. Although significant progress has been made, the challenge remains to ensure the full safety of journalists.

23. Please update us in case of developments on the rules and practices in place concerning the to ensure the independence and safety of journalists, including protection of journalistic sources and communications.

The Association of Journalists of Macedonia has been keeping a register of violations of the rights of journalists and media workers since 2014 and regularly monitors attacks and threats against journalists. It organizes training for journalists on risk management and protection mechanisms. Although improvements have been noted, challenges remain in the implementation of laws and institutional support. The AJM is an active member of the regional network Safe Journalists, where it works on a unified methodology for early prevention and alerting on violations of the rights of journalists in the Western Balkans, ensuring a rapid response to cases of threats and attacks.

In November 2024 an initiative for a new code of ethics for journalists started. Several consultative meetings were held with journalists and other media workers in order to discuss the modern needs and challenges facing the media sphere and the drafting of the new code of ethics, intended to contribute to improving the professional ethics and responsibility of the media.

IV - OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

The process for preparing and enacting laws

- 1. Have there been any developments regarding the deep political polarisation and its impact on the effectiveness of the parliamentary work?**

Since the election of the new composition of the Assembly on 28.05.2024, the application of the new Rules of Procedure of the Assembly began.

In this context, coordination meetings and political dialogue between the President of the Assembly, the Vice-Presidents and the coordinators of the parliamentary groups are held regularly. These meetings play a vital role in planning activities related to the legislative agenda of the Assembly and the international activities of the MPs.

The procedure for adopting laws and other acts is regulated in Chapter XI of the Rules of Procedure of the Assembly (Articles 139 to 212). The Assembly exercises its legislative function by holding plenary sessions as well as meetings of the working bodies/committees.

From the constitution of the current Assembly on 28.05.2024 to 06.02.2025, the Assembly has held 33 plenary sessions. Of these, 25 have been completed, while 8 sessions remain unfinished as of 06.02.2025.

In terms of significant actions, the Assembly adopted the 2023 Annual Report on the Work of the State Commission for Prevention of Corruption during the session held on 25.12.2024. This was followed by the submission of a conclusion to the State Commission for Prevention of Corruption, the Government and the Ministry of Finance. Similarly, on 24.09.2024, the Assembly considered the Special Report of the State Commission for Prevention of Corruption on the Determined Conditions in Financing of the Election Campaign for the Election of the President of the Republic of North Macedonia.

Additionally, on 25.12.2024, the Assembly considered the 2023 Annual Report of the Ombudsman on the Level of Ensuring, Respecting, Promoting and Protecting Human Freedoms and Rights. The

Assembly determined the proposed measures for implementing the recommendations of the Ombudsman, for overcoming the conditions found in the Report and submitted them to the Government on 27.12.2024.

At its session held on 16.12.2024, the Assembly considered the 2023 Annual Report on the Work of the Judicial Council of the Republic of North Macedonia and, based on the debate, did not adopt the Annual Report.

In accordance with Articles 14 and 16 of the Law on Audio and Audiovisual Services, the parliamentary Committee on Election and Appointment Issues, at its meeting on 29.01.2025, adopted a Draft Decision on the Appointment of Members of the Council of the Agency for Audio and Audiovisual Services. The Draft Decision was submitted to the President of the Assembly on 31.01.2025, who submitted it to the Members of Assembly on 03.02.2025.

Regarding the appointment of deputies to the Ombudsman and to the judges of the Constitutional Court, there have been no proposals submitted for the election of deputies to the Ombudsman during the period from 28.05.2024 to 06.02.2025. However, the composition of the Constitutional Court has been fully completed in line with the Constitution, and currently, there are 9 judges of the Constitutional Court.

These activities highlight ongoing efforts to fulfil parliamentary duties and continue important legislative and institutional work, despite the challenges posed by political polarization.

The ruling coalition holds a stable majority in the Assembly, which greatly contributes to the effectiveness of parliamentary work, thus ensuring that legislative processes and decisions can be made more smoothly, without significant disruption or delays. It allows for constructive dialogue between parliamentary groups and facilitates the timely adoption of important legislation and reports. There is a favourable environment for advancing the legislative agenda, ensuring the continuous functioning of the Assembly and the successful implementation of its responsibilities.

- 2. Please update us in case of developments regarding the framework and utilisation of the Single National Electronic Register of regulation (ENER), impact assessments, evidence-based policymaking established, public consultation, and measures ensuring transparency and quality throughout the legislative process, from preparation to parliamentary phases.**

Regulatory Impact Assessment (RIA) is an integral part of the law-making process. The Ministry of Public Administration (MPA), as the ministry responsible for managing the regulatory reform process, regularly informs the Government of the Republic of North Macedonia (Government)

about the application and implementation of the Regulatory Impact Assessment Methodology. Draft laws submitted to the Government for review are regularly checked for compliance with the acts governing RIA and for timely consultation with stakeholders through the Single National Electronic Register of Regulations (SNER).

The legal acts governing RIA, SNER and its connection with the e-government system and the continuous training of civil servants establish procedures and conditions for smooth, transparent and high-quality law-making. Within this process, the General Secretariat of the Government plays a particularly important role, which, in accordance with the Rules of Procedure of the Government, ensures that the draft laws submitted to the Government contain regulatory impact assessment and cooperates and coordinates with the ministries on this issue.

The process of consultations with stakeholders allows the Government to have access to new sources of ideas, information and resources that are important in the process of creating policies and making decisions. SNER is a central point where all draft laws submitted in a government procedure are presented, for comments by stakeholders.

In accordance with the Strategy for Public Administration Reform, in order to achieve effective, efficient, transparent, inclusively created evidence-based policies, measures and activities are envisaged that will facilitate and standardize the RIA process in the ministries through activities that will provide clear rules and procedures for planning, implementing and monitoring the process. Measures are envisaged to strengthen the control mechanisms for the implementation of consultations with stakeholders and the public in policymaking and the preparation of legislation. The quality of the impact assessment (economic, fiscal, social, administrative and environmental), as part of the RIA Report, is expected to significantly improve with the development of electronic versions of the analytical tools for RIA, which will provide an analysis of the level of burden and costs imposed by regulations on citizens and business entities.

Also, in order to give visibility to the issue of gender equality and social inclusion, as part of the social impact assessment during the RIA process, the initiative "Integration of Gender Equality and Social Inclusion (GESI) Methodology and Tool within the Regulatory Impact Assessment (RIA) Process" is currently being implemented, supported by the British Embassy. In this regard, it is proposed that the tools for promoting GESI will be adapted and integrated within the framework of the RIA process through appropriate norming and visibility of gender equality and social inclusion in the RIA Report.

The Ministry of Public Administration will continue its activities for continuous strengthening of the capacities of civil servants for the implementation of RIA, the unhindered use of ENER and for cooperation with representatives of the affected parties in the policy-making process.

3. Please provide an update on the implementation of the Parliament's new rules of procedure, including any challenges that may have occurred.

Since the constitution of the current composition of the Assembly on 28.05.2024, the implementation of the new Rules of Procedure has been actively underway. These provisions, particularly those governing the adoption of laws and other acts, have been crucial for ensuring the smooth functioning of the Assembly. The rules have provided a framework for parliamentary procedures, which has allowed the Assembly to continue its legislative work.

From 28.05.2024 to 06.02.2025, the Assembly held 33 plenary sessions, of which 25 sessions were completed, and 8 sessions were not completed as of 06.02.2025. This illustrates the ongoing progress of parliamentary activities.

During this period a total of 257 laws were proposed, of which 142 were draft-laws in a shortened procedure, 102 were proposed in a regular procedure and 13 proposed ratification. The Government proposed 184, and Members of Assembly proposed 73 draft-laws.

Out of these, 186 laws were adopted, of which 137 were proposed by the Government and 49 by Members of Assembly. Of these adopted laws, 65 laws were adopted in regular procedure, 109 in shortened procedure and 12 were ratifications.

The provisions of the Rules of Procedure of the Assembly regarding parliamentary questions apply. According to Article 40, a special session on parliamentary questions is convened on the last Thursday of the month. In the period from 28.05.2024 to 06.02.2025, 4 sessions on parliamentary questions were held, in accordance with Article 40 of the Rules of Procedure. As a novelty arising from Article 42 of the new Rules of Procedure of the Assembly, parliamentary questions addressed by Members of Assembly coming from opposition are asked once a month on the day when a plenary session of the Assembly is held. Parliamentary questions are asked after the agenda of the session is determined, for a duration of two hours. In accordance with Article 42 of the Rules of Procedure, parliamentary questions were asked at 4 plenary sessions. The regularity of these sessions has been perceived as a method to balance the power dynamics within the Assembly, ensuring that both the ruling and opposition parties have equal playing grounds.

The provisions of the Rules of Procedure of the Assembly relating to interpellations apply (Articles 47 to 53). An interpellation shall be placed on the agenda of the first subsequent session of the Assembly and, as a rule, shall be considered as the first item on the agenda within 10 days from the day of submission of the response by the entity to which the interpellation refers. In the period from 28.05.2024 to 06.02.2025, 6 interpellations were raised: of which 1 interpellation for the President of the Assembly, 4 interpellations for holders of executive power positions and 1 interpellation for a Chairperson of a parliamentary committee. The procedure for the interpellations has been completed.

Overall, the implementation of the new Rules of Procedure has marked a new phase in the functioning of the Assembly. The new Rules of Procedure have facilitated significant legislative progress. The ongoing application of these rules reflects the Assembly's commitment to maintaining order and efficiency.

- 4. In light of the new rules of procedures, please update us on developments regarding the rules and usage of fast-track and emergency procedures, 'EU flag procedure', and what proportion of decisions are typically adopted through these procedures compared to the total number of decisions adopted.**

In the period 28.05.2024 to 06.02.2025, the Assembly adopted a total of 186 laws, of which 137 were proposed by the Government and 49 by Members of Assembly. Of the adopted laws, 65 laws were adopted in a regular procedure, 109 in a shortened procedure and 12 were ratifications.

In the period from 28.05.2024 to 06.02.2025, the Assembly adopted 2 laws in shortened procedure (The Law on Amendments to the Law on Prevention of Money Laundering and Financing of Terrorism and the Law on Global Minimum Corporate Income Tax) which harmonize national legislation with the EU acquis (with a European flag). The Draft Law on Amendments to the Law on Payment Services and Payment Systems is currently in the parliamentary procedure. Before being considered and adopted at a plenary session of the Assembly, these laws were considered by the relevant parent committee, the Legislative Committee and the Committee on European Affairs.

- 5. Please update us in case of new developments regarding the regime for constitutional review of applicable laws and other acts?**

The Constitutional Court of the Republic of North Macedonia, at its session held on 27 May 2024, adopted the Act of the Constitutional Court of the Republic of North Macedonia, which was

published in the "Official Gazette of the Republic of North Macedonia" No. 115/2024 and, in accordance with Article 127 of the same act, entered into force on 1 September 2024. This Act was adopted based on the constitutional authority provided under Article 113 of the Constitution of the Republic of North Macedonia, which stipulates that the modes of operation and proceedings before the Constitutional Court are regulated by an act of the Court.

Upon its entry into force, the Act replaced the previously applicable Rules of Procedure of the Constitutional Court of the Republic of North Macedonia ("Official Gazette of the Republic of Macedonia" No. 70/1992 and "Official Gazette of the Republic of North Macedonia" Nos. 202/2019, 256/2020, and 65/2021), which had been adopted in 1992 under the same constitutional provision.

The Act of the Court introduces a number of innovations aimed at improving the overall work and the proceeding before the Court and are the result of prior analyses conducted within the Court, as well as consultations with experts in constitutional law, taking into account thirty years of experience with the implementation of the previous Rules of Procedure of the Court and comparative-legal solutions concerning proceedings before constitutional courts, particularly within the region.

Indeed, in relation to the procedure for reviewing the constitutionality of laws and the constitutionality and legality of other regulations, as well as matters related to it, the Act introduces some new, while also improving some of the existing solutions.

An innovation in the initiation of such proceedings is the ability for any individual to submit an initiative for the review of constitutionality, or constitutionality and legality, not only in written form but also electronically (Article 9, Paragraph 3 of the Act), which represents an advancement in access to constitutional justice.

Furthermore, Article 9, Paragraph 6 of the Act stipulates that electronic submissions are regulated by a separate act, while Article 125, Paragraph 2 provides that electronic submission of documents will commence on 1 January 2025.

In order to implement these provisions, the Court, at its session held on 26 December 2024, adopted the Rulebook on Electronic Submission of Documents to the Constitutional Court of the Republic of North Macedonia, which elaborates the procedures for handling electronically submitted documents, including initiatives for the review of constitutionality, i.e., constitutionality and legality.

For the purpose of informing the public and ensuring transparency, this Rulebook was published on the website of the Court (available at <https://ustavensud.mk/archives/32069>)

Additionally, a dedicated section with the information on electronic submission procedures has been made available on the homepage of the website of the Court.

Finally, we inform you that as of 1 January 2025, the provisions of the Act relating to the electronic submission of documents before the Court, including initiatives for the review of constitutionality, i.e., constitutionality and legality, have come into practical application.

Another substantive innovation is the possibility, following the initiation of proceedings for the review of constitutionality, i.e., constitutionality and legality, for the Court, at its discretion, to set a deadline, no longer than six months, for the adopters of the acts to amend the act in accordance with the views of the Court, as expressed in the resolution initiating the proceeding (Article 36, Paragraph 2 of the Act).

The primary reason for introducing this new solution is to allow the adopting authority of an act whose constitutionality, i.e., constitutionality and legality, is in question to intervene before the Court adopts a repealing or annulling decision, which could otherwise result in a legal vacuum until new norms are adopted.

In addition to this possibility, the Act of the Court also prescribes the legal consequences in cases where the adopter acts, i.e., fails to act with such an instruction.

Accordingly, pursuant to Article 36, Paragraph 3 of the Act, if the adopter does not act within the timeframe set by the Court, the proceedings for the review of constitutionality, i.e., constitutionality and legality, shall continue, conversely, if the adopter acts the proceeding shall be terminated (Article 39, Paragraph 5 of the Act).

In practice, this mechanism was applied in case U.No.137/2017, where, by Resolution of the same number dated 25.09.2024, proceedings were initiated for the review of the constitutionality of Articles 176, 177, and 178 of the Law on Electronic Communications ("Official Gazette of the Republic of Macedonia" No 39/2014, 188/2014, 44/2015, 193/2015, 11/2018, and 21/2018; and "Official Gazette" No. 98/19, 153/19, and 92/2021), when a period of six months was set for the Assembly of the Republic of North Macedonia to amend the Law, as stipulated in Point 1 of the dispositive part, in accordance with the views of the Court provided in the explanatory section of this resolution.

This resolution was published in the "Official Gazette" No. 213/2024 of 17 October 2024 (available at <https://ustavensud.mk/archives/30896>).

Furthermore, the actions of the Court within its competence enable direct insight into the realization of constitutionality, legality, and the rights freedoms established by the Constitution. This is particularly evident in the part of the review of the constitution laws and the constitutionality and legality of other regulations, which constitute the majority of cases reviewed and decided by the Court.

Taking this into account, the new Act of the Court introduced a new provision (Article 13), pursuant to which the Constitutional Court monitors the realisation of constitutionality, legality, and the freedoms and rights of the individuals and citizens established by the Constitution, and at its discretion may adopt a special report highlighting the need for measures to be taken for their implementation and protection and submit it to the authority with competence.

Although the Court has not yet applied this provision in practice, during working meetings of the judges held after the Act entered into force, certain issues were identified through the process of constitutional and legal review, which suggests that this provision may be effectively applied.

Equally important is the issue of executing the decisions of the Court, which is essential for the fulfilment of its role in safeguarding constitutionality, legality, and freedoms and rights of the individuals and citizens.

Decisions of the Court, along with the positions expressed therein, must be respected, and state authorities and other holders of public powers are obliged to take appropriate actions in accordance with them.

This is also significant for the rule of law, as compliance with and acting upon a decision establishing that a particular provision is contrary to the Constitution and/or the law is just as important as adherence to the Constitution and laws themselves.

Accordingly, the new Act provides several provisions specifically addressing the execution of the decisions of the Court, set out in a dedicated Chapter VI, entitled "Enforcement of the Decisions of the Constitutional Court" (Article 85-91).

Given that the previously applicable Rules of Procedure contained only two articles (86 and 87)¹³ on this matter, the broader scope of issues now regulated by the Act in this regard represents an enhancement of the legal framework, even from a qualitative perspective, the same conclusion can be drawn.

Specifically, regarding the new solutions, Article 85, Paragraph 1 establishes the moment from which the obligation to enforce the decision of the Constitutional Court begins - from the date of their publication in the "Official Gazette of the Republic of North Macedonia", while the following paragraph further stipulates that enforcement of the decisions of the Constitutional Court must be carried out without delay.

Furthermore, Article 86 of the same Act stipulates that the Court monitors the enforcement of its decisions by official duty, whereby it may request data and information from any party concerning the measures taken to execute the decision.

Additionally, a new legal instrument has been introduced - the request for enforcement of decisions, which may be submitted to the Court by any party with a legal interest (Article 87 of the Act).

Another significant innovation is that the Court is now given the opportunity, at its discretion, to determine, in the decision repealing or annulling a law, regulation, or specific provisions thereof, the manner and time frame for the enforcement of the decision, which strengthens the constitutional principle of the enforceability of the decisions of the Court and provides guidance for the adopter of the act found to be in conflict with the Constitution and the laws(Article 88 of the Act).

The same article also provides an alternative mechanism whereby, except for specifying the manner and time frame within the decision itself, the Court may determine these by means of a separate resolution.

13

Article 86

The decisions of the Constitutional Court are executed by the adopter of the law, other regulation, or general act that has been annulled or repealed by a decision of the Court. Decisions by which the Court decides on the protection of freedoms and rights established by the Constitution are executed by the body or organisation that adopted the individual act, annulled with a decision by the Court, i.e., by the body or organisation that undertook the action prohibited with a decision by the Constitutional Court.

Article 87

The Constitutional Court monitors the execution of its decisions and, when necessary, shall request the Government of the Republic of North Macedonia to ensure their enforcement.

Furthermore, Article 89, Paragraph 1 of the Act incorporates the existing provision from the Rules of Procedure of the Court, which states that the execution of the decisions of the Constitutional Court is the responsibility of the adopter of the law, regulation, or general act that has been annulled or repealed with a decision by the Court.

Regarding the execution of the decisions of the Court, the new Act replaces the previous procedural solution that allowed such requests solely from the Government, and such request may now be addressed to any public body (Article 90).

Finally, this section provides for the possibility that the Constitutional Court may adopt a separate resolution establishing that its decision has not been executed, and in such a case, it shall notify the public prosecutor's office with competence, as well as the authority responsible for appointing or electing the head of the body or institution that failed to implement the decision of the Court, based on the information and reports previously received (Article 91).

Indeed, the new Act of the Court also introduces some other procedural novelties that are significant and contribute to the efficient and cost-effective conduct of proceedings.

Among the most notable are: the establishment of a six-month deadline for submitting a report following the assignment of a case, with a requirement to notify the Court in the event of a delay (Article 29, Paragraph 1 of the Act); the introduction of a thirty-day deadline for submitting a separate opinion, starting from the day on which the text of the decision, i.e., the resolution was determined (Article 34, Paragraph 2 of the Act); and the obligation of the President of the Court to propose the report for review no later than thirty days from its submission.

Independent authorities / Ombudsman

1. Please update us in case of new developments or measures taken to ensure the independence of the ombudsperson institutions, equality bodies, and supreme audit institutions. In particular, what are their levels of resources, capacity, and powers. In particular, have there been any developments regarding Ombudspersons' Office financial and human resources needed to function independently and effectively?

Budget of the Ombudsman

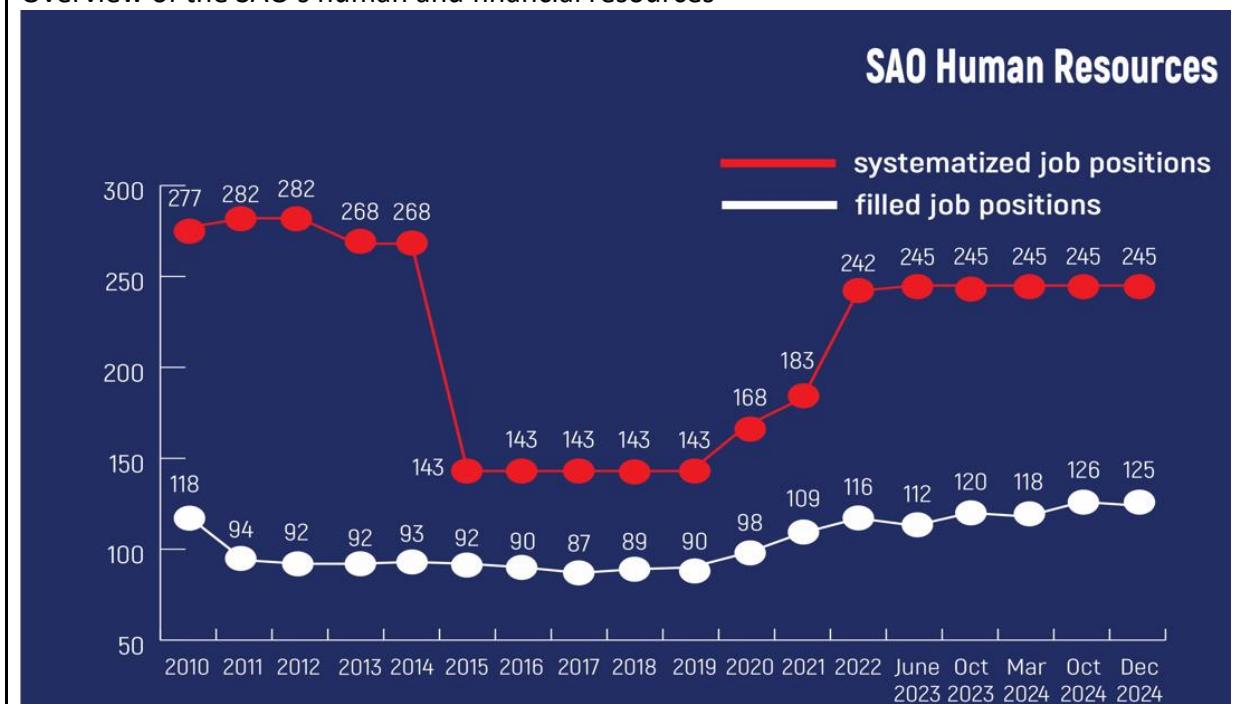
	Approved budget	Balance/ Budget after rebalances and reallocation decisions
2023	96.760.000,00	91.155.200,00
2024	105.262.000,00	98.514.000,00
2025	95.960.000,00	

According to the relevant act on systematization of jobs, 183 are planned in the Institution, and as of December 2024, 85 have been filled. In 2024, due to the lack of consent from the Ministry of Finance, there were no new employments or promotions in the Institution. In addition, two people had their employment terminated due to the attainment of the conditions for old-age retirement.

State Audit Office

The Draft Law on State Audit has not yet been adopted by the Government and consequently has not been adopted by the Assembly. The State Audit Office prepared the Draft Law on State Audit within the framework of the twinning project "Improving External Audit and Parliamentary Oversight" in cooperation with the twinning partners - the supreme audit institutions of the Republic of Croatia and the Republic of Bulgaria and submitted it to the relevant Ministry of Finance on 05.04.2022. In September 2024, the State Audit Office re-submitted the draft text of the law to the relevant Ministry of Finance for its adoption.

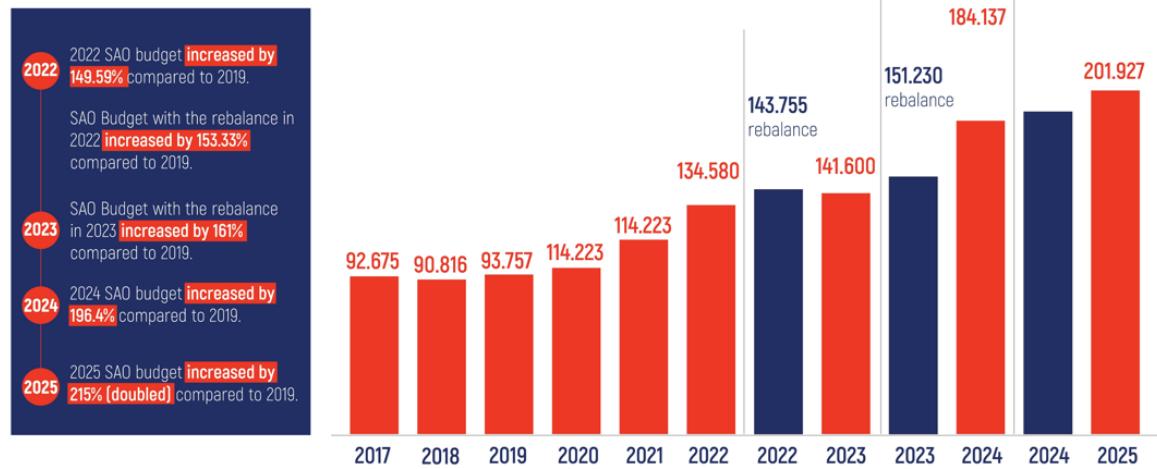
Overview of the SAO's human and financial resources



SAO BUDGET 2017-2025

in 000 denars

█ BUDGET
█ BUDGET WITH REBALANCE



Information regarding the CPPD is contained in the section Functioning of the Commission for Prevention and Protection against Discrimination (including resources) and coordination with the Ombudsman.

2. Please provide statistics or reports regarding the follow-up of recommendations made by the ombudsman institutions, equality bodies, and supreme audit institutions in the past two years?

Ombudsman

In 2023, the Ombudsman gave a total of 626 individual recommendations, opinions and suggestions to state administration bodies, local self-government, other bodies and organizations with public authorizations on the manner of eliminating the established violations of the rights of citizens and other persons, of which 457 or 73% were accepted.

As for 2024, out of a total of 743 individual recommendations, opinions and suggestions given on the manner of eliminating the established violations of the rights of citizens and other persons, 556 or 74.8% were accepted.

State Audit Office

In accordance with Article 33 of the Law on State Audit, the State Audit Office prepares an Annual Report on the audits performed and on the work of the State Audit Office and submits it to the Assembly for review no later than 30 June of the current year for the previous year.

On 27 June 2024, the Chief State Auditor submitted the Annual Report on the audits performed and on the work of the State Audit Office for 2023, which was reviewed and adopted by the Assembly on 17 September 2024.

According to the data from the Annual Report on the audits performed and on the work of the State Audit Office for 2023, the State Audit Office implemented the Annual Work Program for 2023, which covered 66 audits.

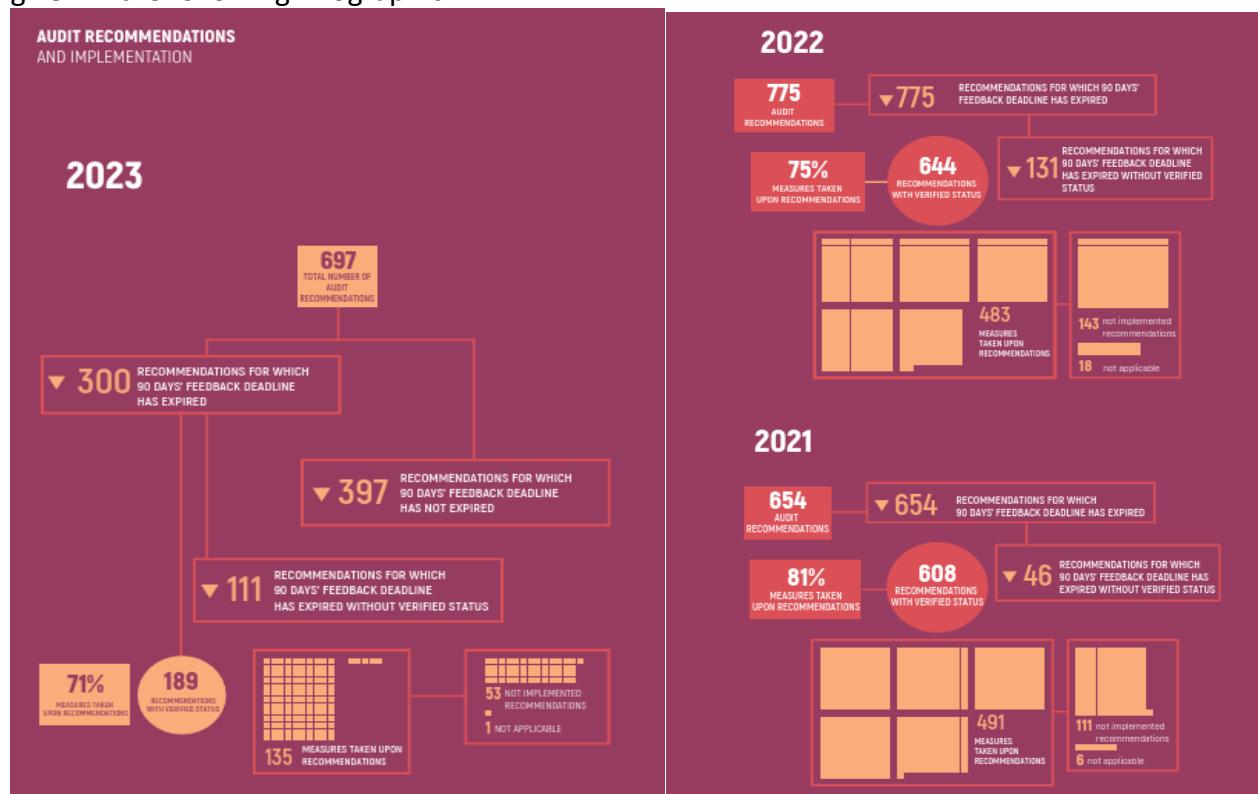
957 situations were identified and 697 recommendations were given, which are contained in 100 audit reports.

More information on the audits performed and the recommendations given can be found at the following link:

https://dzh.mk/sites/default/files/2024-07/eng_DZH_Godisni_Izvestaj_facing_2023%20%281%29.pdf

The annual program for 2024 is in the final phase of implementation and by the deadline of 30 June 2025, the SAO will prepare the Annual Report on the audits performed and on the work of the SAO, after which the data for 2024 will be submitted to the European Commission in terms of the issued recommendations.

A statistical overview of the situation with the recommendations given and measures taken is given in the following infographic:



Information regarding the CPPD is contained in the section Functioning of the Commission for Prevention and Protection against Discrimination (including resources) and coordination with the Ombudsman.

3. What has been the progress on implementation of recommendations issued by the Ombudsperson?

In terms of individual recommendations in 2024, 74.8% of the Ombudsman's recommendations were accepted, unlike in 2023, when 73% of the recommendations were accepted. It follows that last year there was a slight improvement in terms of the implementation of the recommendations given by the institution.

The Ombudsman submits the Annual Report on the Level of Ensuring Respect, Promotion and Protection of Human Freedoms and Rights to the Assembly on a continuous and timely basis every year and publishes it through a press conference and on its website.

At its session held on 25 December, the Assembly reviewed the Annual report on the level of ensuring compliance, promotion and protection of human freedoms and rights for 2023 of the Ombudsperson¹⁸⁶ and adopted 34 measures across 13 areas to address the identified issues.

4. Please provide an update on appointments and vacancies to the Ombudsperson Office.

There are no changes in the reporting period. On 10 May 2023, a vacancy was published for the election of five deputies of the Ombudsman, as required by the legal procedure, but no proposal was submitted, and hence their election was not carried out. In the meantime, positions for two more deputies have become vacant in the Institution on the basis of exercising the right to an old-age pension and on the basis of termination of mandate. Consequently, 7 vacant positions currently remain - in addition to three deputies in Skopje, the Regional Offices in Kumanovo, Shtip, Strumica and Tetovo are also without deputies.

In 2023, 9 people were employed (state advisor, advisor, four junior associates, and five people had their employment terminated on the basis of an agreement and retirement.

5. Please provide updates on the revision of the Law on the Ombudsman's Office.

There are no changes in the reporting period. With the Roadmap and the Recommendations after the 2024 Universal Periodic Review, an obligation has been undertaken to make amendments to the Law on the Ombudsman in order to align with the Paris Principles.

In addition, in September this year, through the Office for Representation of the Republic of North Macedonia before the European Court of Human Rights, the Ombudsman Office received a letter in which the Committee of Ministers requested data on the budget situation of the two mechanisms of the Ombudsman - the National Preventive Mechanism and the Mechanism for Citizens' Control. It was indicated that the Ministry of Finance, in cooperation with the Ombudsman, should harmonize the budgets of these two mechanisms in the future, as well as to amend the law specifically in the part of the mandate of non-governmental organizations provided for within the mechanism for citizens' control. Specifically, the mandate of these

organizations should be increased from one to three years, something that is already in the proposed amendments and supplements.

Additionally, the Institution also carries out the mandates of National Rapporteur on Human Trafficking and Illegal Migration and Monitoring of the United Nations Convention on the Rights of Persons with Disabilities. Specifically, recommendations have been received from the Government for the Ombudsman to accept to act as a body for monitoring the implementation of the UN Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention (Act No. 08-1359/35 of 09.07.2018) and as National Rapporteur on Human Trafficking and Illegal Migration (Decision on Supplementing the Decision on the National Commission for Combating Human Trafficking and Illegal Migration in No. 45-278/1 of 22 January 2019.) The need for amendments and supplements to the Law on the Ombudsman is also noted in the latest Progress Report of Macedonia, published on 30 October 2024.

6. Please provide updates on the Civil Control Mechanism within the Ombudsman's Office.

Regarding the establishment of the Mechanism for Citizens' Control¹⁴, based on a public announcement for the selection of 3 associations in the field of human rights, police law and justice, published in the "Official Gazette" No. 233 of 06.11.2023, 2 associations were selected, namely: Macedonian Association of Young Lawyers Skopje and Helsinki Committee for Human Rights - Skopje, which nominated their members. The procedure for the selection of the third association as an external member of the Mechanism for Citizens' Control, conducted after the publication of a repeated public announcement published in the "Official Gazette" No. 251 of 29.11.2023, ended with a decision to select the "Citizens' Association for Research, Analysis and Development of Public Policies EUROTINK" - Center for European Strategies - Skopje, published in the "Official Gazette" No. 11 of 17.11.2024.

The Civil Control Mechanism in 2024 handled a total of 25 cases (15 related to members of the prison police, and 10 to the police), i.e. 6 more than in 2023. 3 cases were initiated on its own initiative. It is evident that the number of complaints against members of the prison police by convicted persons or their family members has almost doubled, i.e. from six (6) in 2023 to fifteen (15) in 2024. Of the complaints related to the prison police, 5 were from convicted persons who complained of mistreatment while performing their duties by members of the prison police, the same number (5) of convicted persons complained that excessive physical force was used by officials from the Idrizovo Correctional Institution-Skopje, the Shtip Correctional Institution, Strumica Prison and the Bitola Prison.

In the reporting period, 3 complaints were received for Torture and other cruel, inhuman treatment and punishment, and 2 for humiliating or degrading treatment and punishment.

¹⁴ Law on Amendments and Supplements to the Law on Organization and Work of the State Administration Bodies "Official Gazette of the Republic of North Macedonia" No. 121/24

Following the actions taken by the Mechanism for Civilian Control, most of the cases were closed, as no violations of rights were found, while the procedure is ongoing for 4 cases.

Out of a total of 10 complaints against police officers, 6 relate to the use of excessive physical force, 2 to harassment in the performance of duty and 2 to torture and other cruel, inhuman treatment and punishment. Out of a total of 10 cases, in 3 no violation of citizens' rights was established, and for the remaining 7 the procedure is ongoing.

The Ombudsman, after receiving information from the media about the use of excessive force by police officers from the Shtip Police Station, opened a case on his own initiative in order to monitor and follow the manner of acting of the competent authorities, i.e. the Department for Internal Control at the Ministry of Interior and the Department at the Public Prosecutor's Office for Organized Crime and Corruption. According to information received from the Department for Investigation and Prosecution of Criminal Offenses Committed by Persons with Police Authorizations and Members of the Prison Police at the Basic Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption, the case is in court proceedings and a first-instance verdict is expected in early 2025.

After conducting a procedure aimed at examining the allegations of the submitted complaints, the Ombudsman-Mechanism for Civil Control submitted 2 Requests for establishing criminal liability against members of the prison police, due to reasonable suspicion of having committed the crime of Torture, i.e. Torture and other cruel, inhuman or degrading treatment and punishment, punishable under Article 142 of the Criminal Code to the Department for Investigation and Prosecution of Criminal Offenses Committed by Persons with Police Authorizations and Members of the Prison Police at the Basic Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption. Regarding the requests, the Ombudsman has been informed that investigative actions are being undertaken by a competent public prosecutor, but a public prosecutor's decision has not yet been made.

7. Please update us in case of new developments on the implementation of the leading judgments of the European Court of Human Rights.

Eighteen (18) leading judgements of the ECtHR against North Macedonia are pending execution (see ANNEX 13). This document and in particular the one attached (*see ANNEX 16 – Leading judgments of the European Court of Human Rights – status and developments in the execution*), outline primarily the developments with respect to the general measures (where required) for execution of the leading judgments for which the 6-month time limit for submission of the initial action plan for execution of the judgments is already expired. With reference to the latter, it should be considered that with respect to three judgments: SHAPKAROSKI AND KANEVCHE, 42520/17, final on 22/10/2024, VLAISAVLJEVIKJ, 23215/21, final on 25/09/2024 and MITREVSKA, 20949/21, final on 14/05/2024, the said time limit is not expired yet, and the initial actions plans are not submitted. Except 3 judgments that are under enhanced supervision i.e. ELMAZOVA AND OTHERS, 11811/20, final on 13/03/2023, X., 29683/16, final on 17/04/2019 and KITANOVSKI,

15191/12, final on 22/04/2015 (see also the Kitanovski group of cases), all others are currently under the standard supervision. It should also be taken into account that 6 out of 18 leading judgments, become final in 2024, 6 other judgments become final in 2023 (3 after 1 August 2023, and 3 other judgements earlier in 2023), and another one become final in 2022.

For the sake of clarity, the ANNEX 13 provides in principle relevant information to the best knowledge of the Office of the Government Agent, as to the status of execution and any new developments that are not reported to the Committee of Ministers, with respect to all 18 leading judgments. Some of those judgments were discussed with the authorities of North Macedonia during the visit of the delegation from the CoE's Department for execution of the Court judgments on 20 and 21 November 2024.

The enabling framework for civil society

1. Please update us in case of new developments regarding rules and practices are in place to ensure the effective operation and safety of civil society organisations and human rights defenders. This encompasses protection measures against various forms of attacks, intimidation, legal threats such as SLAPPs, negative narratives or smear campaigns, and efforts to monitor threats or attacks, along with dedicated support services.
See answer 19 under **MEDIA PLURALISM AND MEDIA FREEDOM**
2. Please update us in case of new development on the implementation of the Strategy for Cooperation with and Development of the Civil Society and its accompanying Action Plan for 2022-2024. Please provide updated information on the financial support organised for civil society organisations and human rights defenders, including frameworks ensuring access to funding, financial viability, taxation/incentive/donation systems, and measures to ensure fair distribution of funding.

The priority of the Government of the Republic of North Macedonia in the period 2024-2028 is to support an inclusive, independent and professional civil society, which is a partner of the institutions in the creation and implementation of the strategic goals of the state. The Government's Strategy for cooperation with and development of civil society is a key document that contains the commitments of the Government and state administration bodies to promote cooperation with civil society organizations and measures to ensure a favourable environment for the development of civil society. In order to enable direct and substantive participation in the development of the new Government Strategy for cooperation with and development of civil society 2025-2028, the Unit for Cooperation with NGOs of the General Secretariat of the Government, in the period 10-30 November 2024, on its website www.nvosorabotka.gov.mk published a call for civil society organizations to submit proposals for measures and activities that they believe should be part of the Government's policies for cooperation with civil society in the

next four-year period. Based on the proposals received from 9 civil society organizations, a first draft of the Strategy 2025-2028 has been prepared. The measures are systematized in two priority areas: Creating a favourable environment for civil society organizations to implement their activities and Strengthened cooperation and partnership between civil society organizations and public institutions. Consultations with civil society organizations will continue within the Working group, through public debates and the Unique National Electronic Register of Regulations (ENER) www.ener.gov.mk.

On January 14, 2025, the Government adopted a Decision on the conditions for the allocation and use of funds for financing the program activities of associations and foundations from the Budget of the Republic of North Macedonia for 2025 (Official Gazette No.11/25). The Decision establishes the conditions for the allocation and use of funds for financial support to civil society organizations from the budget of the Ministry of Inter-Community Relations, the criteria for assessing the quality of projects, the composition of the Commission for the allocation of funds and the manner of reporting upon the completion of projects.

- 3. Please update us in case of new developments on rules and practices about the participation of civil society organisations and human rights defenders in the decision-making process, such as measures related to dialogue between authorities and civil society, participation in policy development and decision-making, consultations, and dialogues? What has been the progress in ensuring the participation of CSOs in consultation processes, including as regards the follow up to their recommendations?**

Stakeholder consultations are a necessary and integral part of the regulatory impact assessment process. Standards for public participation in policymaking are applied in practice, with the involvement of civil society organizations in the initial stages of the creation of laws and policies through contributions to the preparation of the annual Government Work Program, participation in working groups, as well as by respecting the deadlines for electronic consultation through the Unique National Electronic Register of Regulations (ENER), www.ener.gov.mk.

According to the Draft Report on the consultation process in the preparation of draft laws, the use of ENER and other mechanisms for cooperation with civil society organizations in 2024 (which is under preparation in the General Secretariat of the Government), out of a total of 193 draft laws determined by the Government in 2024, 88 draft laws were subject to regulatory impact assessment. 30 draft laws (34%) were published on ENER, which represents a decrease of 17.39% compared to 2023 (51.39%). The total number of comments from stakeholders is 158, of which 21 comments are from civil society organizations (13.3%).

Civil society organizations are consulted in the preparation of the annual Government Work Program, in accordance with the Code of good practices for civil society participation in the policymaking process. Following the published Call for civil society contributions for the preparation of the Government Work Program for 2025, published by the General Secretariat of the Government on August 20, 2024, 35 initiatives were submitted by 19 civil society organizations, which is an increase of 31.43% compared to the Call for civil society contribution for the preparation of the Government Work Program for 2024, when 24 initiatives were submitted by 11 civil society organizations. The initiatives of civil society organizations and responses from the ministries are published on the website of the Unit for cooperation with NGOs of the General Secretariat of the Government www.nvosorabotka.gov.mk.

The Government's leading goal is to restore citizens' trust in institutions, eliminate corruption and ensure the rule of law. In cooperation with the International Republican Institute (IRI), the Government is organising meetings with civil society organizations called "Dialogue between the Government and the Civil Sector". The first meeting was held on September 25, 2024, on the topic "Rule of law, good governance and fight against corruption", and the topic of the second meeting held on October 25, 2024, was "Education and youth participation". Through these meetings, a direct dialogue and communication was opened between the President of the Government and the ministers with civil society organizations, who have expertise and are working on proposed solutions and mechanisms for the implementation of which support or cooperation with the Government and the line ministries is required. 21 initiatives were submitted by civil society organizations, which, together with the responses from the line ministries, are published on the website www.nvosorabotka.gov.mk.

4. Please update us in case of new developments on the activities and participation in the Council for Cooperation between the Government and Civil Society.

The Council for cooperation between the Government and civil society is an advisory body of the Government for promoting cooperation, dialogue and encouraging the development of the civil society. According to the conclusions of the debate "Strengthening cooperation between the Government and civil society" held on September 4, 2024 at the Civil Society Resource Centre in Skopje and the consultative process with civil society organizations following a call published on www.nvosorabotka.gov.mk and consultative meetings in Skopje (15.10 and 1.11.2024), Gostivar (24.10.2024) and Bitola (25.10.2024), the Government, at its session held on December 24, 2024, adopted a Decision amending and supplementing the Decision on the establishment of the Council for cooperation between the Government and civil society. This decision reduces the number of members of the Council from 31 to 27 and introduces deputy members of the Council, in the interest of greater operational efficiency and effectiveness in the work of this body. In order

to ensure greater transparency and accountability of the Council members towards the civil society organizations they represent, an obligation is foreseen for the CSOs Council members to inform, consult and involve stakeholders in the area they represent about the work and conclusions of the Council and to prepare an annual report on the implementation of their Plan for coordination and communication with the CSOs in the area they represent.

In January 2025, the General Secretariat of the Government launched a procedure for the selection of members of the Council for cooperation between the Government and civil society. On January 20, 2025, a public call for the selection of 14 members and deputy members of the Council from civil society organizations was published on the website www.nvosorabotka.gov.mk, and in the period 23-28 January 2025, the Unit for cooperation with NGOs of the General Secretariat of the Government, in cooperation with the Civil Society Resource Centre, organized 4 info sessions in Skopje, Gostivar, Bitola and Radovish, to inform civil society organizations about the published call and to encourage their participation in the process of selecting new members of the Council.

Accessibility and judicial review of administrative decisions

1. Please provide a short update on the transparency of administrative decisions and sanctions, including their publication and rules regarding the collection of related data.
2. Please update us in case of new developments on the general regime for judicial review of administrative decisions, including details such as the competent court, scope, suspensive effect, interim measures, and any specific rules or exceptions from the general regime?
3. Please update us in case of new developments on a specific mechanism in place to monitor and/or ensure the follow-up by public authorities to final court decisions by national courts (and if yes, could you elaborate on its functioning)?

FUNDAMENTAL RIGHTS under CH 23 For discussion in the JFS Subcommittee

Prohibition on torture and inhuman or degrading treatment/Prison system/probation

- Update on measures taken to improve the conditions in prisons and promote alternatives to incarceration

In July 2024, a meeting was held between the management of the Directorate for Execution of Sanctions (DES), the Project Unit and the Ministry of Transport and Communications, with the aim

of continuing the second phase of the Project, i.e. for the extension/application for a new construction permit for the facilities of Segment II Phase 1 in the Idrizovo Correctional Facility. In September 2024, activities began for the extension of the Construction Permit of 15.09.2024, i.e. for the application to the Ministry of Transport and Communications for a new construction permit for the facilities of Segment II Phase 1 in the Idrizovo Correctional Facility. The procedure for obtaining a Construction Permit is ongoing.

In September 2024, DES submitted an Action Plan to overcome the observations of the Council of Europe Development Bank as a prerequisite for the continuation of the project, which relate to several points of the penitentiary system (continuation of the Project for the reconstruction and construction of prisons, the fight against corruption, training of prison staff, etc.) with specific steps, a timeframe and status. ***See ANNEX 17 – Action plan to overcome the observations of the Council of Europe Development Bank.***

In order to improve the conditions for serving prison sentences, wing 5 of the closed section of the Idrizovo Prison was renovated for 100 convicted persons, with the aim of relieving overcrowding in other sections of the closed section of the institution.

In order to comply with Recommendation No. R (99) 22, (2010)1, the Directorate collected data on convicted persons who meet the conditions for conditional release, in accordance with the Probation Law, i.e. an overview was prepared of how many convicted persons can be under probation (convicted persons conditionally released from serving a prison sentence, supervision of convicted persons on probation with protective supervision and supervision of the performance of community service probation). For this purpose, three round tables were organized (two in Skopje and one in Prilep) in cooperation with the Ministry of Justice, the Penological Society, Izbor from Strumica and Stanica PET from Prilep, which were attended by presidents of courts, judges, public prosecutors, directors of correctional facilities and employees of the resocialization sector of the institutions, probation officers, professors and representatives of other institutions that cooperate with probation offices.

In November 2024, a working group was formed to prepare a new Probation Law. The working group has held five meetings.

On 19.07.2024, DES prepared Information on the activities undertaken to ensure the operability of the electronic supervision system and submitted it to the Government of the Republic of North Macedonia. On 12 November 2024, the Government adopted the Information, instructing the Ministry of Justice - DES to foresee the necessary funds to ensure the operability of the system in 2024 and 2025 and to initiate a public procurement procedure with an open procedure within ten days in order to ensure the operability of the electronic supervision system. In December 2024, DES published a public notice number 19571/2024 for the procurement of services for the maintenance and upgrade of IT equipment for electronic surveillance during the execution of house arrest or conditional release for the needs of the Administration for the Execution of Sanctions for a period of one year. Only one company applied to the notice - Company for Trade in Goods and Services SAGA MK DOOEL import-export Skopje. On 12.12.2024, a contract was

concluded with the company Company for Trade in Goods and Services SAGA MK DOOEL import-export Skopje, registered under our number 03-1876/1 of 12.12.2024. Within the framework of the contract, the Administration is obliged to hand over the existing equipment within 10 working days from the date of signing, and the procurement holder is obliged to replace the batteries, as well as upgrade and replace the SIM card and return the equipment no later than 4 months after taking over. Also, the procurement holder is required to conduct online training on using the system within 2 months from the date of signing the contract.

- Update on implementation of recommendations of the European Committee for the Prevention of Torture (CPT)

On 02.09.2024, DES submitted a written response to the Report of the CPT's visit in October 2023. **See ANNEX 18 – Written response to the Report of the CPT's visit in October 2023.** In October 2024, CPT together with representatives of the Council of Europe Development Bank, carried out a periodic visit to the Idrizovo Prison.

The CPT's recommendations refer to:

- continuation of the second phase of the Idrizovo Prison Project;
- introduction of a clear system of accountability for the corrupt activities of staff
- insight into the results of the investigation conducted by the Special Prosecutor's Office for Combating Corruption and Organized Crime,
- professional management in the penitentiary system (for example, recruitment of prison directors and senior management positions, as well as professional standards)
- increasing the number of appropriately trained prison police officers in order to ensure efficient control of the institutions as well as equipping the prison staff in the Idrizovo Prison and Skopje Prison
- development of a training program for prison staff;
- conducting supervision in correctional facilities and correctional facilities;
- ensuring full, unconditional, responsible engagement of the Ministry of Health in providing health care to convicted persons

– Update on measures to combat corruption in prisons

In order to implement activities under strategic objective 7 of the National Strategy, and in order to prevent corruption and negligent work of members of the prison police, on July 19, 2024, an extraordinary supervision was carried out during the night hours in the Skopje Prison by the Director of the Prison Service and officials, during which certain irregularities were determined in the work of the prison police and the work of the entire institution. A report was prepared for the supervision carried out and it, together with the evidentiary material, was submitted to the Department for Investigation and Prosecution of Criminal Offenses at the Public Prosecutor's Office in accordance with Article 91 of the Law on the Execution of Sanctions and the Ministry of Interior for initiating proceedings against members of the prison police.

On July 31, 2024, an extraordinary supervision was carried out in the Skopje Prison, a report was prepared on established irregularities by members of the prison police and the director of the institution and it was submitted to the Ministry of Interior and the competent prosecutor's office.

In July 2024, the ISI held coordination meetings with the Ministry of Interior, investigators in the Public Prosecutor's Office, as well as a meeting with the Minister of Interior and the Prosecutor responsible for proceedings under Article 91 of the Law on the Execution of Sanctions and the Chief Prosecutor for Combating Corruption, especially for corruption related to prisons and correctional facilities.

In the period July 2024 - January 2025, a total of 16 extraordinary and 1 regular supervision were carried out in several institutions in order to monitor the work of penal and correctional institutions. Additionally, in coordination with investigators of the Ministry of Interior working in the Public Prosecutor's Office for Combating Corruption in Prisons and Pre-trial Detention Facilities, several official documents were submitted from the Idrizovo Prison, Skopje Prison, Strumica Prison, Struga Prison, and proceedings are underway against members of the prison police for the Idrizovo Prison, Strumica Prison, the open-type Struga Prison, and Skopje Prison, and criminal charges have been filed against the former director of Strumica Prison.

In July 2024, the Sanctions Enforcement Administration submitted documents and evidence for a well-founded suspicion of a crime committed against the former director of Skopje Prison.

In 2024, 9 cases were filed against 32 members of the prison police and all initiated proceedings are ongoing.

Based on the Law on Amendments to the Law on the Execution of Sanctions in 2024, provisions are foreseen for the establishment of intervention units and the establishment of prison intelligence.

On 04.06.2024, a Rulebook on the manner of work and organization of prison intelligence units was adopted. In November 2024, a Rulebook on the manner of work of intervention units was adopted with the support of the Council of Europe and an SOP for the conduct of intervention units will be prepared for it. In the fourth quarter of 2024, functional analyses were prepared in the Idrizovo and Štip Penitentiaries, and on that basis, a Rulebook on the systematization of jobs in the Idrizovo Penitentiary was adopted for the formation of prison intelligence units and the intervention unit of the prison police in penal institutions, as well as a Rulebook on the systematization of jobs in the Štip Penitentiary for the formation of the intervention unit of the prison police.

As one of the tools for reducing corruption in institutions is the establishment of a functional video surveillance system in correctional facilities and correctional institutions (in accordance with strategic goal 4 of the National Strategy for the Prison System 2021-2025). Therefore, legal provisions inserted in the Law on Amendments to the Law on Execution of Sanctions relate to video surveillance in correctional facilities and correctional institutions as well as the use of body

cameras by members of the prison police and the director of the institutions. A draft version of the Regulation on Video Surveillance in Correctional Facilities and Correctional Institutions has been prepared, which will be followed by its adoption, procurement of video equipment and its installation in correctional facilities and correctional institutions.

In order to implement activities from the Anti-Corruption Plan (2022-2026) as well as prevent the introduction of unauthorized items into the institution, since November 2024, by order of the Director of the Sanctions Enforcement Administration, searches of premises and persons have been mandatory in all institutions by members of the prison police and they have been submitted on a monthly basis in the form of a Report.

In January 2025, in cooperation with the US Embassy in the Republic of North Macedonia and the DES working group, an SOP for checking shipments in prisons was prepared, which will have a unified system for checking shipments of convicted persons as one of the recommendations of the CPT. The SOP will be followed by training of some prison staff in its application.

- Update on actions taken to ensure professional management in the penitentiary (e.g. prisons directors and senior management recruitment and professional standards)

In terms of professional management, as a recommendation of the CPT, the Law on Amendments to the Law on Execution of Sanctions includes provisions that clearly stipulate that a person should be selected or assigned to category B management positions in the prison police only by promotion, which would prevent the practice of selecting or assigning persons from outside the prison system, without experience in the prison system, to senior management positions in the prison police.

In December 2024, in order to continue initial and continuous training of prison staff, the Prison Service adopted an Annual Training Plan for Prison Staff for 2025.

In order to implement the recommendation of the CPT and the request of the Council of Europe Development Bank for professional management, in November 2024, a working group was established by the Minister of Justice to amend the legal provisions of the Law on the Execution of Sanctions, including provisions relating to the appointment of directors of KPU and VPU, whereby they will be appointed by the Director of the Sanctions Enforcement Administration, instead of being appointed and dismissed by the Government as before.

- Update on measures taken to remedy the situation of healthcare in prisons, including drug addiction

In order to respect the Right to Health Care and realize Strategic Goal 8 - Strengthening the provision of health care for convicted persons, including in relation to mental health, within the framework of the project "Fighting Torture and Inhumane Treatment", financially supported by the EU, which is implemented by the team of the Macedonian Young Lawyers Association and the Helsinki Committee for Human Rights in all penal and correctional institutions and the educational

and correctional institution, free legal aid and psychiatric counselling for convicted persons and children in the Educational and Correctional Institution. During the implementation of the project, counselling by a psychologist or psychiatrist was provided to a total of 121 convicted persons in all penal and correctional institutions, of which 9 are convicted persons.

A Standard Operating Procedure for the Use of Drug Testers is currently being prepared.

In order to improve the health care of convicted persons, and in order to determine further activities, a working meeting was held between the Director of the Administration for the Execution of Sanctions and the Minister of Health.

On January 21, 2025, a working meeting was held between representatives of the Ministry of Health, PHI Health Center Skopje, in order to detect problems and determine the current situation in the outpatient clinics in the Correctional Institution and the Correctional Institution, more precisely, determining the number of existing health workers as well as the need to increase the number and change the Rulebook on Systematized Work Positions.

In the reporting period, DES visited the Bardovci Psychiatric Hospital in Skopje in order to improve coordination regarding the referral of convicted persons for treatment in this institution in accordance with the possibilities and capacities of the institution. A working meeting was also held with representatives of the Psychiatric Hospital and a psychiatrist who practices at the Idrizovo Correctional Facility and the Skopje Prison, and with the directors of the Idrizovo Correctional Facility and the Skopje Prison to determine further steps for cooperation.

- Updates on the current situation regarding probation

In September and November 2024, within the framework of the "EU Rule of Law" project, trainings for trainers were held for 10 probation officers, specialized training for high-risk offenders for all probation officers and some of the employees of the KPU who work with this category of convicted persons, and specialized training for unmotivated persons under probation for all probation officers.

In November and December 2024, three round tables were held in cooperation with the Ministry of Justice, the Penological Society, Izbor from Strumica and Stanica PET from Prilep, which were attended by presidents of courts, judges, public prosecutors, prison representatives, probation officers, professors and representatives of other institutions that cooperate with probation in the implementation of probation work.

In November 2024, a working group was formed to prepare a new Probation Law in order to harmonize it with the Law on Criminal Procedure, the Criminal Code and the Law on the Execution of Sanctions. So far, the working group has held five meetings.

On 19.07.2024, DES prepared Information on the activities undertaken to ensure the operability of the electronic surveillance system and submitted it to the Government of the Republic of North

Macedonia. On 12 November 2024, the Government adopted the Information, instructing the Ministry of Justice - DES to foresee the necessary funds to ensure the operability of the system in 2024 and 2025 and within ten days to proceed with the implementation of public procurement with an open procedure in order to ensure the operability of the electronic surveillance system. In December 2024, DES published a public notice for the procurement of services for the maintenance and upgrade of IT equipment for electronic surveillance during the execution of house arrest or conditional release for the needs of the Administration for the Execution of Sanctions for a period of one year. Only one company applied for the notice - Company for the Trade of Goods and Services SAGA MK DOOEL import-export Skopje. On 12.12.2024, an agreement was concluded with the company SAGA MK DOOEL Import-Export Skopje. Within the framework of the agreement, the Administration undertook to hand over the existing equipment within 10 working days from the date of signing, and the procurement holder to replace the batteries, as well as to upgrade and replace the SIM card and return the equipment no later than 4 months after taking over. Also, the procurement holder should conduct online training on using the system within 2 months from the date of signing the agreement.

In 2024, there were a total of 793 newly received probation cases, which compared to 2023 means an increase in the number of newly received cases, while as of January 2025, there were a total of 105 newly received cases.

In February 2024, within the framework of the "EU Rule of Law" project, the Communication and Visibility Strategy of the Service was prepared. In January 2025, within the framework of the Council of Europe Project "Strengthening the Capacities of the Penitentiary System", the Internal and External Communication Strategy of the Sanctions Enforcement Administration was prepared.

Anti-discrimination policy

- Anti-discrimination: alignment of other laws with non-discrimination law (art. 48) and protection of vulnerable groups; LGBTIQ rights

Answer

There were no changes in this period regarding the harmonization of legislation. In compliance with the provision from the Law on Prevention and Protection against Discrimination, the Government adopted a decision to harmonize all laws with this law. Thus far, as part of a project supported by the European Union and implemented by the Council of Europe Office, the following 12 laws were analysed:

- Law on Scientific and Research Activity (Ministry of Education and Science)
- Law on Primary Education (Ministry of Education and Science)
- Law on Secondary Education (Ministry of Education and Science)
- Law on Higher Education (Ministry of Education and Science)
- Law on Family (Ministry of Social Policy, Demography and Youth)
- Law on Sports (Ministry of Sports)

- Law on Social Protection (Ministry of Social Policy, Demography and Youth)
- Law on Labour Relations (Ministry of Economy and Labour)
- Law on Child Protection (Ministry of Social Policy, Demography and Youth)
- Law on Pension and Disability Insurance (Ministry of Social Policy, Demography and Youth)
- Law on Health Protection (Ministry of Health)
- Law on Health Insurance (Ministry of Health)

With expert support from the EU (project “EU for Human Rights: Mainstreaming non-discrimination concepts in legislation”), specific draft articles were also prepared to harmonize four laws with the Law on Prevention and Protection against Discrimination, as follows:

- Criminal Code (Ministry of Justice)
- Law on Criminal Procedure (Ministry of Justice)
- Draft Law on Gender Equality (Ministry of Social Policy, Demography and Youth)
- Draft Law on Labour Relations (Ministry of Economy and Labour)

The reorganization of state administration bodies ¹⁵ imposed the need to change the composition and leadership of the National Coordination Body (NCB) for monitoring the situation with non-discrimination and implementation of laws, bylaws and strategic documents in this area. The membership renewal procedure began in September and in January 2025, the Government of the Republic of North Macedonia adopted the Decision to establish a new National Coordination Body composed of 63 members, with representatives from relevant ministries, social partners and civil organizations.

In February 2025, the first constituent session of the National Coordinative Body (NCB) was held.

During 2024, activities were continuously implemented for non-discrimination capacity building. Four training modules were conducted for trainers on prevention of discrimination and promotion of equality. The goal of these trainings was to equip future trainers from the Ministry of Social Policy, Demography and Youth, the Commission for Prevention and Protection against Discrimination, and the Ombudsman with the knowledge to protect against, prevent, and identify discrimination within their respective sectors, i.e., jobs. The trainings included issues related to discrimination, hate speech and methods to detect and prevent it, and in case it exists to inform and educate all institutions involved how to respond to the needs of victims of discrimination and hate speech.

The Ministry of Social Policy, Demography and Youth, in collaboration with the OSCE Mission, held trainings in Ohrid, Dojran, Skopje, Berovo, and Krushevo for administrative servants employed by local self-government bodies. The goal of these trainings was to enhance the employees' capacities in terms of non-discrimination principles, protection mechanisms, competent institutions, and the relevant domestic legal framework as well as international documents. A total of 123 participants from various municipalities attended the training, including 90 women and 33 men.

¹⁵ Law on Amending the Law on Organization and Operation of the State Administration Bodies “Official Gazette of the Republic of North Macedonia” No. 121/4

- Rights of persons with disabilities – update on the National Strategy on the Rights of the Persons with Disabilities 2023-2030 and the Action plan 2023-2026

Hereinafter is an overview of the most important activities implemented under the National Strategy for the Rights of Persons with Disabilities 2023–2030 during the reporting period.

Accessibility, equality, access to justice and active participation in the public and political life. The amendments to the Electoral Code of March 11, 2024, ("Official Gazette of the Republic of North Macedonia" No. 58/2024) modified the legal provision which stipulates that the Public Broadcasting Service, and the private television program services at state level that broadcast paid political advertising are to ensure accessibility to their programs for persons with sensory disabilities. The modification specified that all these media outlets are obliged to adapt one edition of the news a day and one content broadcast in the period from 4:00 PM to 12:00 AM for people with sensory disabilities when reporting on the elections.

The Agency for Audio and Audiovisual Media Services (AAAMS) found that during the presidential and parliamentary elections held in the spring of 2024, all television stations, except for one commercial station, adhered to the Electoral Code's obligation to ensure accessibility for part of their content during the election campaigns for both electoral processes. In accordance with its authority under the Electoral Code, the Agency initiated a misdemeanor procedure against the television station that failed to fulfill this obligation.

Ensuring accessibility to content for persons with sensory disabilities during the elections represented the introduction of new obligations for providers of audiovisual media services related to accessibility and stemming from the amendments to the Law on Audio and Audiovisual Media Services, made in July 2023, to the aim of aligning the Law with the 2018 revised EU Directive on Audiovisual Media Services.

Following several months of public discussions and based on amendments to the Law, the Council of the Agency for Audio and Audiovisual Media Services adopted a Rulebook on Media Service Accessibility in July 2024 ("Official Gazette of the Republic of North Macedonia" No. 238/2024). This Rulebook prescribes the way the providers of audio and audiovisual media services (radio, TV and on-demand video services) continuously and progressively implement appropriate and proportional measures to make their services more accessible to persons with impaired hearing and vision.

Under the Rulebook, television stations at the state level and audiovisual on-demand services are obliged to ensure accessibility to their content for persons with sensory disabilities to a certain extent in 2025, which would progressively increase each subsequent year.

In compliance with the requirements set forth by the Law and the Rulebook, all providers of audiovisual media services submitted their accessibility action plans for 2025 by the end of 2024. Beginning in 2026, these providers will also submit annual reports on their fulfillment of

accessibility obligations. The Agency will review the submitted action plans and provide a summary on its website. ,

Furthermore, the email address dostapnlost@avmu.mk set up by the Agency for Audio and Audiovisual Media Services, serves as an online contact point for inquiries regarding the accessibility of media services. This contact point can be used to provide information on the accessibility of services to persons with disabilities, file complaints by affected persons or organizations, submit annual action plans and reports or information regarding media services, and facilitate the exchange of other relevant information.

A draft Law on Accessible Websites and Mobile Applications is in the process of preparation, in accordance with the Directive (EU) 2016/2102 of the European Parliament and of the Council of October 26, 2016 on the accessibility of websites and mobile applications of public sector bodies. The law creates a legal framework that enables persons with disabilities facilitated access to information and services provided or offered by public sector institutions on their websites and mobile applications, which will in turn contribute to greater digital accessibility for citizens, as well as a more inclusive society within the state. In October 2024, the draft law was published on the Unique National Electronic Register of Regulations, in order for the public and all stakeholders to be familiarized with the draft text of the law and to be able to provide their comments for its improvement. In January 2025, the Ministry of Digital Transformation organized a public discussion for all stakeholders, including ministries and non-government organizations. After the discussion, the draft law will have to be finalized and aligned within the government and assembly procedure, with the final step being its adoption.

Access to health care. The Strategy on the Rights of Persons with Disabilities and the social protection system recognized the system for early intervention in children with developmental delay and/or disabilities as a modern tool for early childhood identification and intervention by defining the methods, criteria and instruments for conducting a developmental assessment of children with developmental delays and disabilities. Before the systemic introduction of a new model for family-oriented early childhood intervention services, a pilot program has been conducted from November 2024 to the end of 2025 in select institutions across the health, social, and education sectors. This included public health institutions, kindergartens, public social protection institutions, day care centers, and primary schools with resource centers located in the Skopje statistical region. During this period, 50 professionals working in kindergartens, day care centers, primary schools with a resource center, health centers and rehabilitation centers were trained on the application of the new transdisciplinary and family-oriented approach of childhood intervention.

Right to education. In terms of inclusive education, a total of 1,018 educational assistants provide support to students with disabilities in primary education in the 2024-2025 school year. As regards the coverage of students with disabilities, there is an increase in the share of students with disabilities in the total number of students in primary education. In September 2024, 1.43% of the total number of students in primary education were students with disabilities, compared to 1.22% in September 2023.

The amendments to the Law on Primary Education were adopted ("Official Gazette of the Republic of North Macedonia" No. 3/25); which enable a student with disability to enroll and study under a modified program into a primary school with a resource center, at the choice of the student, the parent, or the caregiver, in cooperation with the professional associates and the inclusive team of the primary school, and according to the disability assessment of the disability assessment system. It is important to note that these amendments to the law apply only to students with complex needs who have been recommended to attend classes under a modified program by the disability assessment system. To ensure continuous support for students with disabilities, if there is no support center in the municipality but there are students with disabilities, the municipal council will determine the location of a new support center, while also taking into account the necessary space, equipment, and staff available at the primary school designated as the support center.

The implementation of the "Inclusion of Children with Special Educational Needs" project continued, managed by the "Open the Windows" organization to the aim of enhancing accessibility and work conditions for students with disabilities.

With the support of the European Union, the "Step by Step" Foundation is implementing a campaign on children's rights, in which the rights of children with disabilities are also mentioned, with the goal of raising public awareness about disabilities.

The new Law on Secondary Education, which is in the final stage of adoption, foresees transforming state secondary schools that educate students with special educational needs into state secondary schools equipped with resource centers. This law will define and regulate the inclusion of students with disabilities in secondary education while also ensuring that appropriate educational support is provided for each student participating in the regular educational process. This support includes: an inclusive team for individual work with students, educational assistance, assistive technology and proper support from state secondary schools with a resource center.

Child protection, social protection and independent living. As regards the implementation of the new model for assessment of children with disabilities which emphasizes the functional capabilities of children with disabilities rather than just their medical conditions, as of November 30, 2024, the Office for Functional Assessment of Children and Youth at the Public Health Institution Health Center Skopje, conducted a total of 6,842 assessments, of which 4,852 initial assessments and 1,990 follow-up assessments. During the same period, educational assistance services within the regular education system were recommended for 1,317 students with disabilities.

The Office for Functional Assessment of Children and Youth commenced with work in 2021 as an expert body for determining measures for additional support in the area of education, health, social protection and protection of children and youth with affected health conditions from 0 to 26 years of age, in accordance with the International Classification of Functioning, Disability and Health (ICF). There are 27 professionals employed within the Office, organized into six functional assessment teams across eight cities.

The development of social services at the local level continues to be a priority for the Ministry, particularly in rural areas. The number of licensed social service providers is steadily increasing and as of December 2024, there are 133 licensed social service providers, with the capacity to serve over 6,000 beneficiaries. The information on available social services and progress of the deinstitutionalization process are presented in the item titled *Action Plan for the Deinstitutionalization Strategy 2022–2024*.

The Strategy also foresees the advancement of the system for monitoring and assessing the quality of social service delivery. The “Support of Quality Assurance System for Social Services” project, funded by the European Union, should contribute to improving service quality standards and strengthening the processes for monitoring the provisioning of services, licensing and inspection and supervision functions in the system. Part of the activities of the “Social Services Improvement Project 2”, funded by a World Bank Loan, refer to improving the quality of social services by improving the legal regulation. Additionally, work will be done to strengthen the capacities of the Sector for Social Inspection to enable the implementation of the Law on Social Protection, as well as to improve the operation of the Institute for Social Activities in the area of social service quality control.

Employment and right to work. With a view to introduce a contemporary approach to employing persons with disabilities a Draft Law on Employment and Vocational Rehabilitation of persons with disabilities was prepared. In accordance with the Government’s guidelines, the draft law is expected to be finalized in 2025. In order to strengthen the proper adjustment of persons with disabilities, the law provides for establishing institutional settings (centers for professionals and vocational rehabilitation) for the systemic implementation of vocational and professional rehabilitation for persons with disabilities.

- Functioning of the coordinating body for the UNCRPD and update on deinstitutionalisation

A new Resolution on the composition of a National Coordinating Body for the implementation of the United Nations Convention on the Rights of Persons with Disabilities in Republic of North Macedonia is in the process of being adopted, which arises from the need of compliance with the new Law on Organization and Operation of the State Administration Bodies and inclusion of representatives from three new ministries. According to these amendments, the body will consist of 18 members total, with representatives from the Office of the President of the Government, 14 ministries, two organizations for persons with disabilities and one scientific institution.

To ensure the effective functioning of the National Coordinating Body and comprehensive coordination among the 14 ministries at the national level, there is a need to establish a Secretariat for this body with an appropriate structure, which is a priority activity outlined in the National Strategy for the Rights of Persons with Disabilities for 2024-2030. The Secretariat will support the coordination of the Strategy's implementation and Action Plans, as well as collect data on the progress of these activities and report it in coordination with the Ministry of Social Policy, Demography, and Youth.

An Interparty Parliamentary Group for the rights of persons with disabilities was established in the new parliamentary composition. It is intended to raise public awareness and assist the needs of persons with disabilities to be shaped into specific legal provisions that will guarantee the realization of their rights and the creation of conditions for equal opportunities.

- Action Plan for the deinstitutionalisation strategy for 2022-2024

The implementation of the Action Plan for the implementation of the National Deinstitutionalization Strategy 2018–2027 “Timjanik” is taking place through activities related to the resettlement of beneficiaries from residential homes to apartment units with supported living, the implementation of a gradual transformation of the institutions for persons with disabilities and increasing the availability of social services.

At the time of reporting, 257 people live with support in 55 apartment units. A total of 91 people with disabilities are beneficiaries of the extra-familial social protection service and are placed in the residential institutions that are planned to be included in the transformation process.

Regarding the priority for the transformation of residential social care institutions, it should be noted that the reconstruction of the Public Institution Institute for the Rehabilitation of Children and Youth in Skopje has been completed, which has created conditions for the transformation of the Institute into a Resource Centre for Social Services that will provide services in day care, occupational therapy, supported living, and rehabilitation and reintegration of children and youth with disabilities. Preparation of projects for the transformation of the remaining three residential institutions with EU funds has begun.

In order to shift the care for beneficiaries from institutional to community-based care, the Ministry of Social Policy, Demography and Youth established a network of authorized social service providers. 133 social service providers have been established and licensed in over 40 municipalities in the social protection system. Licensed social service providers (home care and assistance, community-based services and extra-familial social protection services, counselling services and professional assistance and support services) have the capacity to serve 6,000-6,200 people. Around 1,600 personal assistants and caregivers and around 400 professionals are involved in the provision of home care and assistance social services, community-based services and extra-familial social protection services, 90% of whom are women.

Through the “Social Services Improvement Project”, the Ministry of Social Policy, Demography and Youth in 2024 provided grant support of over EUR 2 million for the establishment of 12 new social services. In January 2025, a new public call was opened to invite municipalities and the municipalities in the City of Skopje to express interest to apply for a grant for the development of home-based social services (home care and assistance) and community-based services (day care for persons with disabilities, day care for persons with disabilities with individual work, day care for older persons, day care for older persons with active aging).

The Ministry provides funds for the development and provision of social services and for this purpose, at least once a year, announces a public call/public competition for the provision of social services by municipalities, the City of Skopje and municipalities in the City of Skopje, association and a private provider of social services from the network of authorized providers of social services. In the course of 2024, the Ministry of Social Policy, Demography and Youth has concluded 62 administrative agreements with licensed providers of social services and with municipalities that provision the service through licensed providers of social services. The number of beneficiaries of social services paid by the state is approximately 5,300. The percentage of female beneficiaries continuously remains above 60% of the total number.

In December 2024, the Ministry of Social Policy, Demography and Youth published a public call for funding associations and private social service providers for the provision of social services. Additionally, there was a public call for the provision of social services by municipalities, including the City of Skopje and its municipalities, to be implemented in collaboration with a licensed service provider. The Ministry offered financial support until the end of the current year for the delivery of social services, adhering to the established capacity of licensed service providers as stated in the decision to grant approval for social protection work as well as to the service costs per beneficiary determined by the Decision on setting prices for social services for 2025.

- Functioning of the Commission for Protection against discrimination (including resources) and coordination with the Ombudsman

The CPPD elected a new president and deputy president on October 1, 2024. In terms of human resources and professional capabilities, the CPPD currently employs 16 staff members, along with seven members, bringing the total number of individuals working at the CPPD to 23. Currently, only 16 of the 39 job positions envisioned under the Systematization Act of the CPPD have been filled, which represents only 35% of the total required staff of 45 employees. Among the 16 employed at the Professional Service, only four are hired for protection against discrimination and one is hired in the area for prevention. In order to promote and strengthen the proactive role of the CPPD, in addition to its established reactive role, the essential need for employees in the areas of prevention, promotion, analytics and report preparation remains. The CPPD complements and realizes the reactive role with funds from projects that it is a part of as a stakeholder, that is through an established cooperation with civil society and international organizations. In the last four years, the CPPD has concluded 15 memorandums of cooperation with civil society organizations, four memorandums with international organizations and 10 memorandums with public institutions, including the Ombudsman. The CPPD's budget for 2025 amounts to MKD 32.7 million and increased by 7.79% compared to the 2024 budget. This growth is primarily due to the arising need to comply with changes in legal and other regulations referring to the salaries of public sector employees and public office holders and the provision of appanage, with salaries accounting for 86% of the CPPD's budget. Other funds account for only 17.73% of the projected needs of the CPPD.

In 2024, the Commission for Prevention and Protection from Discrimination (CPPD) received 405 complaints, with 350 filed by natural persons and 55 by legal persons. The CPPD issued 316

decisions on cases seeking protection against discrimination. Out of 152 opinions rendered, discrimination was established in 56 instances, while 96 opinions concluded there was no discrimination. The most frequently identified grounds for discrimination included national or ethnic affiliation, personal property or social status, gender, gender identity, sexual orientation, political belief, and disability.

Cases	2024
Received complaints	405
Ex-officio instituted cases	2
Total cases	407

Submitted complaints	2024
Legal entity	55
Natural person	350
Total complaints	405

Decisions on cases	2024
No of resolved complaints	372
No. of resolved ex-officio instituted cases	3
Total number of adopted decisions	316*

*In 2024, the Commission decided on four occasions to merge cases submitted by different applicants into a single procedure when they related to the same legal matter. As a result, the number of decisions (316) is less than the total number of cases resolved (372)

Opinions	2024
Established discrimination	56
Discrimination not established	96
Total opinions	152

Discriminatory Ground	No. of cases	% of established cases
National and ethnic belonging	15	25,42%
Personal characteristics or social status	12	20,34%
Other grounds	10	16,95%
Gender	9	15,25%
Gender identity	8	13,56%
Sexual orientation	7	11,86%
Political belief	7	11,86%
Disability	5	8,47%

Language	4	6,78%
Race	3	5,08%
Skin colour	3	5,08%
Property status	3	5,08%
Sex	2	3,39%
Belonging to a marginalised group	2	3,39%
Social origin	2	3,39%
Education	1	1,69%
Religion and religious belief	1	1,69%
Health status	1	1,69%

Rights of the child

- Implementation of the national strategy to end violence against children (2020-2025)

During the preparation of the Draft National Action Plan (NAP) on the Rights of the Child for 2025–2029, the activities outlined in the Strategy for the Prevention and Protection of Children against Violence (2020–2025) were revised and integrated into the new Draft National Action Plan on the Rights of the Child 2025–2029. A special priority area titled “Violence against Children” was foreseen to safeguard children from all forms of violence, including gender-based and domestic violence. This priority area within the NAP on the Rights of the Child includes a comprehensive set of goals and measures aimed at providing gender-sensitive support for child victims and witnesses of violence, ensuring legal protection, assessing levels of peer violence, and raising public awareness of a “zero tolerance” policy for violence against children. Additionally, it seeks to strengthen parental skills for creating a safe home environment, ban child marriages, improve data collection, and enhance the capacities of the child protection system in the Republic of North Macedonia.

- Implementation of the Strategy for de-institutionalisation (2018-2027)

The country has made significant progress in the deinstitutionalization process, reaching zero placements of children in large institutions. North Macedonia has made significant progress in the deinstitutionalization process of children, moving from large institutions to family-based care systems and smaller group homes, as part of the National Deinstitutionalization Strategy (2018-2027). All large institutions have been closed, with family-based care being prioritized, while community-based services are gradually being developed as additional forms of support. The number of foster families has increased significantly, with 365 families caring for 616 children in mid-2024, under the supervision of foster family support centres. This progress is the result of

increased promotion of foster care and strengthening of the system through the establishment of three foster family support centres, which provide assessments, training and resources for foster carers.

Information on progress in the deinstitutionalization process is presented under *the Action Plan for the Deinstitutionalization Strategy for 2022-2024*.

- State of play with adoption of the Law on Child Rights

The justice system for children in North Macedonia has made significant progress in legislative reforms, notably with the adoption of the Law on Justice for Children in 2024 and amendments to the Law on the Execution of Sanctions. These legislative frameworks aim to reduce recidivism, support community-based services as alternatives to detention, and ensure the right to a fair trial, in order to align the system with international standards. The new legislation on justice for children aims to cover all relevant issues regarding the justice system for children in the country and to ensure better protection of the rights and interests of all children, regardless of whether they are in conflict or in contact with the law.

In addition, significant amendments have been made to the Criminal Code, while amendments to the Law on Civil Registration and the Law on the Execution of Sanctions are underway, all aimed at improving access to justice and the realization of children's rights when their rights are violated, challenged, or when they come into conflict or contact with the law.

Although there has been progress in improving the legal framework, there is a complex institutional structure that needs to be supported to ensure effective implementation of the legislation. This structure includes police stations, social work centers, small group homes, educational and health institutions, public prosecutors' offices, courts, lawyers, mediators, the Office of the Ombudsman, the Administration for the Execution of Sanctions (including detention facilities and correctional facilities), local branches of the Ministry of Justice (for free legal aid) and municipalities. The number of institutions and entities involved in dealing with children in conflict or in contact with the law is extensive and complex. Continued investments are needed to further strengthen institutional and technical capacities, to specialize the professional staff working in the child justice system, to improve the capacities to monitor the situation of children in the legal system and to implement the amended laws. In doing so, ensuring primary, secondary and tertiary prevention is key. Evidence shows that, once children come into contact with the justice system, there are limited mechanisms for further prevention, and they are transferred from one institution to another, with high rates of recidivism.

In March 2024, the Law on Justice for Children was adopted.¹⁶ The main objective of the Law is to upgrade the legal framework for justice for children in order to consistently respect the principle of the best interests of the child by:

¹⁶ Official gazette No 66/2024

- Transposing the standards of: Directive EU 2016/800 of the European Parliament on procedural safeguards for children suspected or accused in criminal proceedings and Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA;
- Unifying the system of legal aid for children in all provisions of the Draft Law;
- Strengthening the protection of child victims and witnesses in criminal proceedings;
- Introducing procedural provisions regarding the course of the court proceedings against a child and the main hearing; and
- Strengthening the mechanisms for the prevention of child delinquency at the local and central levels, as well as institutional, material and functional strengthening of the State Council for Prevention and Justice for Children;

The indicators for monitoring the implementation of the Law are in the process of being revised. Also, the curriculum of the Academy for Judges and Public Prosecutors will be aligned with the standards of the new law.

- Preparatory work for a National Action Plan for Children's Rights

With support from the “EU for Rule of Law” project, a Draft National Action Plan (NAP) on the Rights of the Child 2025–2029 was prepared. The draft action plan will be submitted to the Government for its adoption.

The NAP on the Rights of the Child in the Republic of North Macedonia for the period 2025–2029 is a multisectoral strategic document, drafted within a wide participatory process with the inclusion of a bigger number of state institutions, civic organizations and the active participation of children. The National Action Plan on the Rights of the Child aims to promote children's living conditions, providing them with a healthy, safe and happy future. The Plan is based on the fundamental principles in the Convention of the Rights of the Child and foresees measures and activities for overcoming the challenges related to child poverty, access to quality education and health care, child labor, violence against children, including gender-based and domestic violence.

Gender equality

- Istanbul Convention: actions to combat gender-based violence
- Implementation of the GREVIO Evaluation Report from May 2023

According to the data of the Ministry of Social Policy, Demography and Youth received from 30 centers for social work, 1,836 victims of domestic violence were recorded in 2024, of which 1,332 were female and 278 were male. The number of victims who were minors was 226 (12.3%), of which 124 were female and 102 were male.

The adoption of the Rulebook on the form, content and manner of keeping the register of persons trained for conducting initial and continuous education for gender-based violence against women

and domestic violence is in the final stage. The Rulebook will be published in the Official Gazette after the adoption of the amendments to the Law on Prevention and Protection from Violence against Women and Domestic Violence, due to changing the title of the ministry to Ministry of Social Policy, Demography and Youth in line with the amendments to the Law on Organization and Operation of the State Administration Bodies (“Official Gazette of the Republic of North Macedonia” No. 121/24). The amendments to the law are also a precondition for the establishment of a National Coordination Body for the implementation of the Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence.

The draft texts of the following bylaws have also been prepared: Rulebook on the form, content and manner of integrated collection of statistical and administrative data on the situation with gender-based violence against women and domestic violence and Rulebook on the manner of approving the program for initial and continuous education on gender-based violence against women and domestic violence implemented by the Ministry of Interior, Ministry of Health and Ministry of Justice.

A [Program for Reintegration of Victims of Violence](#) was adopted. The purpose of this Program is to facilitate the faster reintegration of women victims of violence by fulfilling their individual needs through the available services. This Program contains a comprehensive package of services based on the national legislation, established at the national and local level, which enable the reintegration of women victims of violence.

Under the Protocol on mutual cooperation of the competent entities for taking measures to prevent and protect from violence against women and domestic violence, training was held on multisectoral taking of action attended by representatives from the centers for social work, police officers, health workers and the non-government sector. Furthermore, the Ministry of Social Policy, Demography and Youth conducted three trainings on the prevention and protection from violence against women and domestic violence for 43 professionals from the centers for social work.

As part of the efforts to prevent gender-based violence at the local level, the Ministry of Social Policy, Demography and Youth, the Ministry of Interior and the Commission for Equal Opportunities at the Municipality of Kisela Voda organized a training for 155 employees (146 women) at the primary schools and kindergartens across this municipality. This activity was published by the UN Women’s Action Coalition on combatting violence against women as good practice within the 16 days of activism against gender-based violence, and is available at [16 Impact Stories For 16 Days | UNW Action Coalitions](#).

To the aim of implementing the Istanbul Convention and the Law on Prevention and Protection from Violence against Women and Domestic Violence the process for drafting the National Strategy on Prevention and Protection from Gender-Based Violence against Women and Domestic violence was initiated together with its Action Plan. Civil society organizations are also involved in the drafting process. The basis for drafting the eight-year National Strategy is the conducted evaluation of the Action Plan on the Implementation of the Convention on Preventing

and Combating Violence against Women and Domestic Violence 2018–2023. Moreover, GREVIO's recommendations will also be addressed in the Strategy and Action Plan.

On the International Day for Elimination of Violence against Women, the Ministry of Social Policy, Demography and Youth signed a Memorandum of Cooperation with the National Council for Gender Equality, reinforcing their readiness for cooperation in the field of gender equality and non-discrimination. The Ministry of Agriculture, Forestry, and Water Economy and UN Women sign Memorandum of Understanding to empower women in rural communities and ensure equality between women and men in the agricultural sector.

International commitments

- Dissemination of recommendations of international human rights instruments and bodies

The Secretariat of the Inter-Agency Human Rights Body disseminated the recommendations addressed to the Republic of North Macedonia within the framework of the fourth cycle of the Universal Periodic Review of the Human Rights Council in July 2024.

Procedural rights, including legal aid and victims' rights

- Updates on the adoption of the draft Law on the compensation of victims of crime

On 25 November 2022, the Law on Payment of Monetary Compensation to Victims of Violent Crimes entered into force¹⁷, and began to be applied from 25 May 2023. The purpose of the law is to provide monetary compensation to victims of violent crimes as assistance from the state, in accordance with the principle of social solidarity, and to prevent secondary victimization as additional suffering that victims may suffer from the attitude of the competent authorities.

This law regulates the conditions for exercising the right to compensation for victims of crimes, the rights of victims, the types of compensation, the establishment, status, composition, and competencies of the Commission for Compensation for Victims of Violent Crime, as well as the election, mandate, and termination of the mandate of the president and members of the Commission, the sources of financing for the payment of compensation to victims, the information and education of victims, the procedure for exercising the right to compensation, the right of recourse, the procedure in cross-border cases, as well as the records and storage of data.

In accordance with the Act on the Payment of Financial Compensation to Victims of Violent Crimes (Official Gazette No. 247/2022), the following have been adopted:

¹⁷ Official Gazette of the Republic of North Macedonia 247/2022. The law is harmonized with Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims CELEX number 32004L0080

- Regulation on the Form and Content of the Request for Financial Compensation to Victims of Violent Crimes¹⁸,
- Regulation on the Form and Content of the Seal of the Commission for Compensation to Victims of Violent Crimes¹⁹.

- Implementation of the Law on free legal aid

On 17 September 2024, the Assembly adopted amendments to the Law on Free Legal Aid, in order to better align it with the Law on Expertise. The amendments clearly define the entities responsible for preparing expert opinions for cases for which free legal aid has been approved, as well as the ways in which they are selected/appointed. The following procedures are also regulated:

- Preparation of expert findings and opinions
- Testimony in court proceedings in cases with free legal aid
- Payment of fees and expenses to court experts

Activities related to the implementation of the Law on Free Legal Aid are carried out through the Sector for Free Legal Aid and Political System and the Regional Departments of the Ministry of Justice. On the territory of the Republic of North Macedonia there are 21 regional departments with 23 regional offices, with a total number of employees of 99, of which 18 persons are authorized to sign the actual acts - confirmations and notifications.

In the period from 01.01.-31.10.2024, primary legal aid was provided to 2360 persons, 238 requests for secondary legal aid were submitted, of which 171 were approved, 38 were rejected and 29 are in procedure.

- Implementation of the Law on justice for children
- Updates on the draft Law on Criminal Procedure

An initial working version of the law has been prepared. The aim of the new Criminal Procedure Law is to harmonize it with numerous international standards and documents in the field of criminal procedural law. In doing so, special attention has been paid to the provisions on confiscation, freezing of assets, electronic evidence, financial investigations, special investigative measures, detention, the main hearing, as well as the appeal procedure and extraordinary legal remedies.

In September 2024, expert hearings on the initial working version of the Criminal Procedure Law were held with the support of the OSCE. Corresponding tables of the law are currently being prepared, after which it will be submitted to the European Commission for an opinion.

¹⁸ Official Gazette of the Republic of North Macedonia No. 131 of 20 June 2024

¹⁹ Official Gazette of the Republic of North Macedonia No. 44 of 22 February 2024

- Update on the draft Law on Civil Procedure

A key innovation in the Draft Law on Civil Procedure is the introduction of a procedure for the protection of collective interests and rights. This allows associations, foundations, institutions or other organizations, which are registered or authorized in accordance with the law, to file a lawsuit against a natural or legal person who, by a certain activity, action or omission, seriously threatens or violates the collective interests and rights established by law. The law is additionally harmonized with the Law on Free Legal Aid, specifying that the costs of the procedure of the party-beneficiary of secondary legal aid, who succeeded in the dispute, are paid to the account of the Budget of the Republic of North Macedonia. Furthermore, the draft law provides for the possibility of holding public hearings electronically. This applies if there is a risk of delaying the procedure or if there are legal or factual obstacles to physical presence. The court may decide to hold the hearing remotely, using two-way electronic communication that allows for real-time audio and visual display. Since the draft law was prepared in June 2021, and since then there have been changes in European legislation, especially regarding collective actions that were introduced for the first time, the law was withdrawn for further elaboration and harmonization in the area of collective actions and protection of consumer interests.

- Updates of the activity of the Commission for the Implementation of the Law on the payment of monetary compensation to victims of violent crime

The Commission for the Payment of Monetary Compensation to Victims of Violent Crimes with an entry for establishment was registered as a legal entity on 07.08.2024.

As of January 2025, the Commission has held a total of 13 sessions and has received a total of 9 (nine) cases - requests from applicants for the payment of monetary compensation to victims of violent crimes.

After reviewing the cases, the Commission made the following decisions: for 2 (two) cases, the applicants were invited to amend the form for the form and content of the application for payment of monetary compensation to victims of a violent crime, for 1 (one) case, the applicant was invited to make corrections and amendments with additional documentation, and for 5 (five) cases, the applicants were notified of decisions rejecting the application as inadmissible on the grounds that the crimes in the specific cases were committed before 25.05.2023, i.e. before the Law on Payment of Monetary Compensation to Victims of Violent Crimes began to apply. One case that reached the Commission in January 2025 will be the subject of the agenda for the next 14 (fourteenth) session of the Commission, which is scheduled for February 2025.

The protection of minorities and Roma inclusion

- Update on implementation of the: Strategy for Inclusion of Roma 2022-2030 and Action Plan 2024/2025

As regards the implementation of the Strategy for Inclusion of Roma 2022–2030, operational plans were prepared through a participatory process for activities that are part of the National Action Plans on antigypsyism, civil registration, housing, health, culture, education, promotion and the realization of human rights of Roma women and girls. The current operational plan for employment was also revised.

The implementation of the Strategy for Inclusion of Roma is monitored by the National Coordination Body which held a regular meeting in November 2024, at which the activities realized under the Strategy within line ministries were discussed.

Social Protection

The Roma Information Centers in Gostivar, Negotino, Bitola and Shuto Orizari provided 2,869 services primarily in the area of social services, more specifically social protection, and to a lesser extent in health protection, housing, education, employment and personal documentation.

Education

The number of Roma children enrolled in public kindergartens amounts to 472 nationwide for the 2024/2025 school year. Of the total 36,472 children in kindergartens, 1.30% are Roma children. A total of 150 Roma children from families at social risk, or 32%, are covered by the Government's recommendation on exempting Roma children from families at social risk from payment of tuition fees. The Conclusion from the Government of the Republic of North Macedonia adopted in October 2024, envisaged the inclusion of 350 Roma children from families at social risk into 21 public kindergartens, who will be exempted from paying tuition fees. So far, 18 out of 21 municipalities are implementing this measure. A new concept and a Program for working with parents and preschool aged children who do not attend kindergarten are being developed, in cooperation with and support from the World Bank.

During the 2023/2024 school year, 40 Roma education mediators were hired to support the primary education of Roma in 26 municipalities in the Republic of North Macedonia. The Ministry of Education and Science increased the number of Roma education mediators to 50 in the school year 2024/2025, in 30 municipalities.

Regarding the judgment in the case "*Elmazova and others*" versus the Republic of North Macedonia, the Ministry of Education and Science made amendments to the Law on Primary Education ("Official Gazette of the Republic of North Macedonia", No. 3/25) with the aim to overcome the segregation of Roma students at the Municipal Primary School "Gjorgji Sugarev" in Bitola and the Municipal Primary School "Goce Delchev" in Shtip and prevent the segregation of Roma students in other schools across the country. The proposals, recommendations and suggestions of the Commission for Prevention and Protection against Discrimination are fully incorporated into the amendments in accordance with the guidelines from the judgment of the European Court of Human Rights.

As part of its support for Roma's secondary education, the Ministry of Education and Science awarded 920 scholarships to Roma high school students at public and private schools for the 2023/2024 school year and 1,200 scholarships for the 2024/2025 school year. The new Draft Law

on Secondary Education, following the example in primary education, foresees the hiring of Roma education mediators in Article 43 to support Roma's secondary education.

The Ministry of Education and Science awards scholarships to Roma students from public and private higher education institutions and universities as well. In the 2023/2024 school year, 116 scholarships were awarded to Roma students; and the scholarship amount was raised from MKD 5000 to 6000 per month. For the 2024/2025 school year, a competition for awarding 150 scholarships for Roma students was published.

Housing and communal infrastructure

In December 2024, a member of the Roma community, classified as socially vulnerable, was granted a social apartment through the Ministry of Transport and Communications calls for distribution of 64 social apartments in Veles and Kochani.

In terms of the communal infrastructure section in 2024, the Ministry of Transport and Communications allocated MKD 20 million for the implementation of communal infrastructure projects for areas inhabited predominantly by the Roma population in 16 urban and rural municipalities.

Employment

The Employment Service Agency of the Republic of North Macedonia (ESARNM) implements annual operational plans for active employment programs and measures focusing particularly on the most vulnerable categories of unemployed individuals. To increase Roma participation in active employment programs and measures the operational plan foresees 5% of participants to belong to the Roma community. Additionally, mitigating circumstances are provided to unemployed Roma women. The active programs and services from the Operational plan for 2024 covered 1,454 unemployed Roma. Increased interest in participating in all measures was observed.

The project titled "Strengthening the National and Local Systems to Support the Effective Socio-Economic Integration of Returnees in the Western Balkans" is being implemented in three municipalities in the Republic of North Macedonia: Shtip, Shuto Orizari, and Prilep. To empower these returnees economically, they have been identified as a target group in the measures outlined in the Operational Plan for Active Employment Programs, Measures, and Labor Market Services for 2024. Additionally, adult education support is being provided to help individuals complete their primary education, which is a prerequisite for participating in active employment programs and labor market services. To promote social cohesion, a resource center was established in the Municipality of Shuto Orizari to bring social services closer to returnees and the local population.

Under the National Action Plan for Roma Women and Girls, with support from the European Union, in July 2024, the first edition of the annual event "Talks about Equality" was held on the topic titled "Inclusive Education", focusing on inclusivity and ethnical background, particularly on Roma children and the relevant aspects of inclusive education highlighted in the Recommendation 2024/1 of the Committee of Ministers of the Council of Europe on equality of Roma women and girls.

Within the Joint Program of the European Union and the Council of Europe ROMACTED 2, an overview of the main achievements in the last four years was conducted, as follows:

- Improving the infrastructure of schools, Roma settlements, recreational areas and so on;
- Inclusive education through tutoring and adult learning and
- Support for strengthening the Roma community through capacity building, job creation and access to health care.

The Program was implemented at the local level in 15 municipalities through grants awarded directly to the municipalities.

Within the framework of the Joint Program of the European Union (DG NEAR) and the Council of Europe Roma Integration – Phase III, a specialized training for the newly developed digital platform for monitoring Roma inclusion policies was held in November 2024. The training provided support to national and local authorities in collecting, analyzing and using critical data for policy making for the Roma community at national and local level.

- Updates on the activity of the Agency for the Rights of the Non-Majority Communities and the Agency for Community Rights Realisation

The capacities of the employees of the Agency for the Realization of Community Rights (ACRR) are constantly being upgraded through the implementation of various project activities that include training specifically intended for the needs of the employees. In 2025, new trainings are planned in cooperation with the OSCE Mission in Skopje.

Currently, the total number of employees in the Agency is 20. There were no new hires in the reporting period. In order to improve the structure and efficiency of the Agency's work, the new management plans to prepare a new systematization and new hires in the coming period.

In October 2024, the Agency for the Realization of Community Rights in cooperation with the OSCE Mission in Skopje organized a Participatory Forum on the topic "Analysis of the functionality, effectiveness and achievements of the Participatory Forum. At the Forum, an external expert presented the analysis of the same name and prepared conclusions and recommendations.

In November 2024, the Agency, with the support of the TAIEX instrument, carried out a four-day study visit to the Republic of Hungary. The host institution was the Office of the Commissioner for Fundamental Rights of the Republic of Hungary, established by Article 30 of the Fundamental Law of Hungary adopted in 2011. The aim of the visit was to strengthen the supervisory and regulatory role as one of the legal competencies of the Agency, through the adoption of good practices from European legislation in the area of the protection and promotion of the rights of communities.

On the occasion of December 10, Human Rights Day, the Agency for the Realization of the Rights of Communities organized a Multicultural Event entitled "Diversity Brings Us Together". The event was enriched with a cultural and artistic program in which representatives of all the individual communities living in the Republic of North Macedonia participated. The event was attended by high-ranking representatives of the Government of the Republic of North Macedonia and members of the diplomatic corps in the country.

Stateless People

Implementation of the Law on civil registry to end statelessness

According to the latest available data, as part of the implementation of the Law Amending the Law on Civil Registry²⁰, as of June 2024, a total of 460 out of 526 registrations have been completed for individuals in this vulnerable category, with 223 females and 237 males. Of these, 296 individuals already possess a personal identification number, meaning they are fully registered. For the remaining 164 individuals who do not have a personal identification number, the registration process is still ongoing, and non-governmental organizations are assisting in gathering the necessary documentation. Under Article 7 of the current Law on Citizenship, all individuals who have submitted or will submit an application for acquiring citizenship by August 8, 2024, will be given priority for citizenship approval.

The Working Group on addressing statelessness issues has been reestablished with a new composition comprising current Members of Assembly. This group will continue its activities until all remaining cases of statelessness are resolved, as well as monitor the implementation of Article 4-a of the Law on Civil Registry, which provides a systemic solution for registering newborns in the main registry within 45 days of birth at the latest, regardless of the parents' citizenship or personal status.

In December 2024, a working meeting took place where young lawyers presented data on the current status of unresolved cases, in collaboration with the Office for Management of Registers.

Data protection and access to public information

- Update on alignment with the EU *acquis* (new Law on Protection of Personal Data, measures envisaged to align with the Police Directive)

In order to fully comply with the EU General Data Protection Regulation, the Personal Data Protection Agency has prepared a Draft Law amending and supplementing the Personal Data Protection Law. The purpose of the law is to strengthen the autonomy and independence of the Agency, as well as to liberalize and facilitate the process of transferring personal data to third countries and international organizations according to EU developments. There have been no changes in the reporting period regarding the adoption of the Draft Law.

Regarding the adoption of the Law transposing Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 (Enforcement Directive), a Draft Law on the protection of natural persons with regard to the processing of personal data for the purposes of preventing, investigating, detecting and prosecuting criminal offences or executing criminal sanctions has been prepared. There have been no changes in the reporting period, i.e. the process of transposing the Directive has not yet begun.

²⁰ (Official Gazette No. 129/23)

The new Personal Data Protection Strategy 2025-2030 is in the final phase of preparation. In October 2024, an expert mission was carried out to prepare the strategy, after which in November the promotion of the Strategy was carried out, which sets out the activities in the following five years, intended to achieve four goals in the implementation of the right to personal data protection: 1. Complete autonomy and independence of the PDPA; 2. Harmonisation of legislation; 3. Continuous increase of the culture of personal data protection and 4. Implementation of accountability tools.

Towards the end of the year, the PDPA adopted several annual programs: its Work Program for 2025, as well as its Annual Supervision Program and Annual Training Program for Controllers and Processors. In its work program, the PDPA has listed several priorities for the following year: preparation of the Communication Strategy 2025-2030; promotion of the Methodology for Harmonisation of Sectoral Legislation; strengthening the position of personal data protection officers; adoption and publication of bylaws relating to the transfer of personal data and submission of initiatives for amendments to the Law on Personal Data Protection and the Law on Misdemeanours.

The PDPA also adopted several relevant bylaws: a new Rulebook on the Security of Personal Data Processing, a Rulebook amending the Rulebook on the Manner of Reporting Personal Data Breach and a Rulebook amending and supplementing the Rulebook on the Manner of Performing Supervision²¹.

Also, a Guide for destruction of data collected through special investigative measures was prepared as well, intended to establish precise guidelines that would regulate in more detail the process of destroying data from the implemented measures, since such data usually intrudes into the privacy not only of the person they are aimed at, but also of persons from their private or professional environment. The guide was developed at the request of the Basic Criminal Court Skopje in accordance with the recommendations provided by the PDPA within the framework of the supervisions conducted in the field of communications surveillance.

- Update on the Government efforts to increase staff in Personal Data Protection Agency and creation of retention policy

As of December 2024, a total of 18 people work in the Personal Data Protection Agency (14 administrative officers, 3 support and technical personnel and 1 person employed on a fixed-term contract). This represents a 36% occupancy rate of the job positions according to the systematized job positions in the Agency, considering that the Act on Systematization of Job Positions provides for 47 job positions with a total of 50 executives. The internal organization consists of 4 sectors with 9 departments and 1 special department.

In the first quarter of 2024, due to the increased workload of the Agency, the Ministry of Finance gave consent for the employment of one support and technical person in accordance with the Law on Labor Relations, as well as one person on a fixed-term contract for a period of one year in accordance with the Law on Labor Relations, as well as an extension of the same until 31.3.2025.

²¹ All published in the Official Gazette of the Republic of North Macedonia no. 266/24.

- Updates on the activity of the Agency for Protection of Free Access to Public Information and the initiatives to facilitate the access to public information

In the reporting period, the Agency for the Protection of the Right to Free Access to Public Information continues to monitor the two most important groups of holders that receive sufficient funds from the public budget to support proactive publication, namely: state administration bodies and municipalities. The third group is formed by the largest public enterprises and holders from the judiciary, which also have a great influence on citizens/requesters of information. The frequency of monitoring is once a year or every two years, depending on the holders of information that are subject to monitoring.

In the period October - December 2024, the Agency conducted regular trainings for officials on mediating with public information. Four trainings were held, attended by 36 people from 31 institutions.

In January 2025, a training was held for officials of information holders, attended by 10 people from 5 institutions.

In the period July 2024 - January 2025, the Agency received and processed 187 complaints.

In terms of initiatives to facilitate access to public information, activities are underway by the working group for amendments to the Law on Free Access to Public Information, chaired by representatives of the Agency.

Freedom of association

- Revision of the Law on associations and foundations

Regarding the revision of the Law on Associations and Foundations, the working group has not held a meeting for a long period of time.