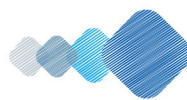


# Rule of Law in View of EU Accession

Quarterly brief

April - June 2023



European  
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This brief summarises the key developments about the rule of law in view of EU accession in North Macedonia from April to June 2023. It includes monitoring the **fundamentals of EU accession, including key developments in the functioning of democratic institutions, public administration reform and chapter 23: judiciary and fundamental rights.**

## Key developments

- » The proposal for constitutional amendments was prepared by the working group and sent to the Government for discussion;
- » The leaders' meeting between Prime Minister Kovachevski and the leader of the opposition Mickoski took place, but no agreement was reached with the opposition for passing the amendments despite several proposals and counter-proposals;
- » The draft PAR Strategy for 2023-2030 has been prepared and received comments from Support for Improvement in Governance and Management (SIGMA)/ the Organisation for Economic Co-operation and Development (OECD) but has yet to be adopted by the Government;
- » The actions of the Judicial Council have been subject to scrutiny and have prompted legal and transparency concerns. They also generated significant reaction from state officials, professionals, the international community, and the general public, which led to doubts about the institution's legitimacy. Consequently, projects and financial resources designated for the Judicial Council were halted and calls for resignations from council members emerged;
- » The lack of familiarity of the Council of Public Prosecutors with the work and handling of the cases of certain public prosecutors, returned from the Special Public Prosecutor's Office to the parent prosecutor's office, is also a cause for concern;
- » The agreement with the existing company for conducting integrity and psychological tests for judges was renewed;
- » After facing delays and revisions, the new Law on the Academy for Judges and Public Prosecutors was finally adopted on the 14th of June 2023;
- » Significant developments occurred regarding Corridor 8 and 10d construction: amendments to five laws related to these projects were adopted, marked with the European flag, which caused concerns from the EU Delegation;
- » The new draft Law on the Management of Confiscated Property, Property Benefits and Seized Items in Criminal and Misdemeanour Proceedings, published on ENER in July 2022, is set to enter Government procedure, while the Parliament discussion on the draft Law for Combatting Serious Forms of Organised Crime and High Profile Corruption began;
- » In the Annual Report of the National Preventive Mechanism for 2022, the Ombudsperson highlighted the pressing issues in psychiatric hospitals and penitentiary institutions;
- » The Government has approved amendments to the Law on Primary Education, which aim to establish a regular educational process for minors in educational-correctional and penal-correctional facilities;
- » The Minister of Justice signed the amendments to the Rulebook on the deployment, classification and placement of convicted persons in penitentiary institutions to provide women serving prison sentences with the same rights and benefits as men;
- » During its 149th session, the Government finalised the draft law to amend and supplement the Law on Audio and Audiovisual Media Services;
- » The draft National Strategy for the Rights of Persons with Disabilities 2023-2030 was published in April, followed by a final consultation in June;
- » The Government adopted a program to ensure social security for female farmers, and this solution for maternity leave was later introduced in the draft Law amending and supplementing the Law on Health Insurance, which was unanimously adopted in the first phase;
- » The annual pride parade, organised by the National Network against Homophobia and Transphobia, took place on the 24<sup>th</sup> of June with the theme 'Loud and Proud'.





## List of Abbreviations

AA	Alliance for Albanians
AAVMS	Agency for Audio and Audiovisual Media Services
AJM	Association of Journalists of Macedonia
AJPP	Academy for Judges and Public Prosecutors
BPP	Basic Public Prosecution
BPPOPOCC	Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption
CPPD	Commission for Prevention and Protection against Discrimination
CSO	Civil Society Organisations
DUI	Democratic Union for Integration
EC	European Commission
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ENER	National Electronic Register of Regulations
EPI	European Policy Institute
EU	European Union
FPO	Financial Police Office
HCHR	Helsinki Committee for Human Rights
ICT	Information communication technology
ISIS	Islamic State
LGBTI	Lesbian, gay, bisexual, trans and intersex communities
MFA	Ministry of Foreign Affairs
MOI	Ministry of Interior Affairs
MRT	Macedonian Radio Television
MYLA	Macedonian Young Lawyers Association
NDI	National Democratic Institute
NGO	Non-governmental organisation
ODIHR	Office for Democratic Institutions and Human Rights
OECD	Organisation for Economic Co-operation and Development
OSCE	Organization for Security and Co-operation in Europe
OTA	Operational-Technical Agency
PAR	Public Administration Reform
POV	Partnership for Open Government
PPO	Public Prosecutor's Office
PSP	Parliamentary Support Programme
RM	Republic of Macedonia
RNM	Republic of North Macedonia
SCPC	State Commission for the Prevention of Corruption
SDSM	Social Democratic Union of Macedonia
SIGMA	Support for Improvement in Governance and Management
SPPO	Public Prosecutor's Office for Prosecution of Criminal Offenses Related to and Arising from the Content of Illegal Interception of Communications (Special Public Prosecutor's Office)
TAIEX	Technical Assistance and Information Exchange instrument of the European Commission
UPOZ	Trade Union of the Workers in Administration, Juridical Authorities and Citizens' Associations of Macedonia
VMRO-DPMNE	Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity



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# Functioning of democratic institutions



# Elections

At the beginning of May, the constitutive meeting of the working group for amendments to the Electoral Code took place. The working group, led by lawyer Aleksandar Novakovski, was assigned two main tasks. Firstly, to implement the recommendations and observations put forth by the Organization for Security and Co-operation in Europe (OSCE)/ Office for Democratic Institutions and Human Rights (ODIHR). Secondly, to work on drafting an entirely new Electoral Code. Novakovski expressed optimism that the deadlines will be met, as legal changes must be enacted six months before the elections.

However, the largest opposition party, the Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO-DPMNE), is not currently part of the working group. They have demanded that the government first propose a plan for one electoral unit before their involvement in finalising the legal solution. Nevertheless, they have expressed support for implementing the OSCE/ODIHR recommendations. The Minister of Justice Krenar Loga echoed the call for VMRO-DPMNE to nominate a representative to join the working group rather than engage in public correspondence through the media. At the same time, he emphasised that the priority at present is not the specific electoral unit model but stressed that the views of VMRO-DPMNE will be considered while drafting the legal solution.<sup>1</sup>

# Parliament

Shortly after the agreement was signed, the details of the agreement between Bechtel and Enka were deliberately withheld from both members of parliament and the general public. However, on the April 10<sup>th</sup> 2023, the amendments to various laws entered the parliamentary procedure, including those concerning agricultural land, expropriation, urban planning, mineral resources, labour relations, forests, construction, and the strategic partnership law with Bechtel and Enka for highway construction. Following protests by the archaeologists' associations in front of the National Assembly, the proposed amendments to the Law on Cultural Heritage were eventually withdrawn.<sup>2</sup>

The proposal that sparked considerable controversy and entered parliamentary proceedings was the Law on Labour Relations amendment, which seeks to increase the maximum weekly working hours from 40 to 60. On the 9<sup>th</sup> May 2023, the political party Levica announced they had prepared an additional 6,664 amendments to prevent a crime worth €1.4 billion.<sup>3</sup> Five laws were finally passed on the 26<sup>th</sup> May 2023, under a short procedure using the European Union (EU) flag, which caused a reaction from the EU delegation in Skopje for unjustified use of the EU flag. Despite that, The President of the Republic of North Macedonia, Stevo Pendarovski, who had previously stated that he would not sign a decree to enact a law that included a provision once challenged by the Constitutional Court, ultimately decided to sign the amendments to five laws associated with the development of corridors eight and 10d.<sup>4</sup>

1 'Electoral Reforms: First, the Remarks from the OSCE/ODIHR Will Be Implemented, and Then a New Law Will Be Prepared (Изборни реформи: Прво ќе се имплементираат забелешките од ОБСЕ/ОДИХР, а потоа ќе се прави нов закон)', *360 Stepeni*, 3<sup>rd</sup> May 2023, <https://360stepeni.mk/izborni-reformi-prvo-ke-se-implementiraat-zabeleshkite-od-obse-odih-r-a-potoa-ke-se-pravi-nov-zakon/>.

2 'Outrage Grows Over North Macedonia's Fast-Tracked Highway Projects', *BalkanInsight*, 10<sup>th</sup> April 2023, <https://balkaninsight.com/2023/04/10/outrage-grows-over-north-macedonias-fast-tracked-highway-projects/>.

3 'With 6,664 Amendments, Levica Prevents the Biggest Robbery in History (Со 6.664 амандмани Левица го спречува најголемиот грабеж во историјата)', *Official Website of the Political Party Levica*, 9<sup>th</sup> May 2023, <https://levica.mk/pres-centar/soopshstenija-reakcii/so-6664-amandmani-levica-go-sprechuva-najgolemiot-grabehz-vo-istorijata/>.

4 'Pendarovski Signed the Amendments to the Bechtel and Enka Laws (Пендаровски ги потпиша измените на законите за Бехтел и Енка)', *Prizma.Mk*, 29<sup>th</sup> May 2023, <https://prizma.mk/pendarovski-gi-potpisha-izmenite-na-zakonite-za-behtel-i-enka/>.

This occurred in late May 2023 after consultations with labour law experts, former Constitutional Court judges, and advisors from his office.

Between February and April 2023, the Institute for Democracy Societas Civilis - Skopje conducted a field survey as part of the Parliamentary Support Programme (PSP) to assess public perception regarding the Assembly's work, political parties, quality of life, political issues, and trust in North Macedonia. The research findings indicate that citizens' perception of the Assembly's work remains consistent with public opinion over the past four years. The attitudes toward the Assembly's functions, transparency, MPs' work, and reforms have remained unchanged. In 2023, citizens rated the Assembly's performance an average score of 2.2 on a scale of 1 (worst) to 5 (best), slightly lower than in previous years.<sup>5</sup>

Notably, the results reveal that many citizens feel the Assembly needs to fully exercise its constitutional authority to oversee the Government, with 27% of respondents believing that the Government has absolute control over the Assembly. Additionally, 46% of respondents think the Assembly has worsened corruption instead of curbing it. Regarding the country's reform processes, citizens have mixed views on the Assembly's readiness to implement reforms to address the political crisis. Most citizens do not consider boycotting the Assembly's work or deliberately delaying debates to prevent adopting or introducing laws as valid methods of expressing political opinions. Instead, citizens believe that political crises should be resolved within the Assembly rather than through closed-door meetings of party leaders.<sup>6</sup>

At the end of March and beginning of April, the Assembly started preparing new commitments and activities to contribute to the goals of openness and transparency within the Partnership for Open Government (POV). Together with civil society organisations (CSO), they organised a workshop where a joint development of a three-year draft action plan, which should program goals and activities for citizen participation in the work of the Assembly, access to open data, overcoming barriers for marginalised groups and more, based on global trends in the POV network was created.<sup>7</sup>

In May, the 21<sup>st</sup> meeting of the Joint Parliamentary Committee - the Republic of North Macedonia and the EU took place in the Parliament.<sup>8</sup> The representatives from the Macedonian and European sides reviewed and voted on the draft amendments; the session resulted in the unanimous adoption of the recommendations. Two more meetings are planned, which are expected to be held in June and October 2023 regarding the finalisation of the Jean Monnet Dialogue, and the date for the next meeting of the MPK - MK and the EU; Schneider proposed to be November 2023 in Strasbourg.<sup>9</sup>

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5 'PARLIAMENT WATCH: CITIZEN PERCEPTIONS OF THE WORK OF THE ASSEMBLY OF THE REPUBLIC OF NORTH MACEDONIA (2023)', *Official Website of the Institute for Democracy Societas Civilis Skopje*, 1<sup>st</sup> June 2023, <https://idscs.org.mk/en/2023/06/01/parliament-watch-citizen-perceptions-of-the-work-of-the-assembly-of-the-republic-of-north-macedonia-2023/>.

6 Ibid.

7 'Preparation of a New Action Plan of the Assembly (2023-2025) towards Partnership for Open Government (POV) (Подготовка на нов акциски план на Собранието (2023-2025) кон Партнерство за отворена власт (ПОВ))', *Official Website of the Assembly of the Republic of North Macedonia*, 15<sup>th</sup> May 2023, <https://www.sobranie.mk/ns-newsarticle-podgotovka-na-nov-akciski-plan-na-sobranieto-2023-2025-kon-partnerstvo-za-otvorena-vlast-pov.nspх>.

8 'First Day of the 21<sup>st</sup> Meeting of the Joint Parliamentary Committee - RNM and EU (Прв ден од 21. Состанок на Мешовитиот парламентарен комитет - РСМ и ЕУ)', *Official Website of the Assembly of the Republic of North Macedonia*, 16<sup>th</sup> May 2023, <https://www.sobranie.mk/ns-newsarticle-21-sostanok-mpk-rsm-i-eu-1752023.nspх>.

9 'The Recommendations of the 21<sup>st</sup> Meeting of the Joint Parliamentary Committee - RNM and EU Were Adopted (Усвоени препораките на 21от состанок на Мешовитиот парламентарен комитет - РСМ и ЕУ)', *Official Website of the Assembly of the Republic of North Macedonia*, 17<sup>th</sup> May 2023, <https://www.sobranie.mk/ns-newsarticle-usvoeni-preporakite-na-21sostanok-na-mesovitiot-parlamentaren-komitet-rsm-i-eu.nspх>.



# Governance

On the 2<sup>nd</sup> April, the largest opposition party VMRO-DPMNE announced that it was acceptable for them to make changes to the Constitution based on the Croatian model.<sup>10</sup> To this end, Prime Minister Kovachevski responded that a model that suits Macedonian society and laws is needed<sup>11</sup> and is in favour of constitutional changes that will open the clusters and make North Macedonia a member of the EU by 2030 with a protected Macedonian language and a secure culture and identity.<sup>12</sup>

Several ethnic-Macedonian parties expressed their readiness to accept the proposal made by VMRO-DPMNE<sup>13</sup> while the ethnic-Albanian political parties expressed their strong disagreement with the proposal.<sup>14</sup> The ruling coalition partner, the Democratic Union for Integration (DUI) called on VMRO-DPMNE to send their representative to the working commission for constitutional changes.<sup>15</sup> President Stevo Pendarovski also expressed his opposition to the proposed model by VMRO-DPMNE<sup>16</sup>

On 4<sup>th</sup> April Deputy Prime Minister Artan Grubi, as chief coordinator of the project and US Ambassador Angela Ageler, laid the cornerstone for the Corridor 8 project.<sup>17</sup> However, as irregularities surfaced, the government's response raised concerns about malpractice and corruption. The Platform Against Corruption requested from the speaker of the Parliament the withdrawal of an agenda aiming to expedite amendments to laws facilitating the construction of highways, highlighting insufficient assessment of corruption risks.<sup>18</sup> The contract with Bechtel and Enka remains undisclosed under the classification of business secret,<sup>19</sup> while

10 'Miteva: When Changing the Constitution of Macedonia, the Croatian Preamble Should Be Applied in Its Entirety (Митева: при промена на Уставот на Македонија да се примени во целост хрватската преамбула)', *Official Website of the Political Party Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO-DPMNE)*, 2<sup>nd</sup> April 2023, <https://bit.ly/3K4aqeZ>.

11 'I am neither FOR nor AGAINST the Croatian model of constitutional amendments, but to make a Macedonian model, said Kovachevski (Не сум ни ЗА, ниту ПРОТИВ хрватскиот модел на уставни измени, туку да се направи македонски модел, кажа Ковачевски)', *Sakam da kazam*, 5<sup>th</sup> April 2023, <https://sdk.mk/index.php/makedonija/ne-sum-nitu-za-nitu-protiv-hrvatski-model-na-ustavni-izmeni-tuku-da-se-napravi-makedonski-model-kazha-kovachevski/>.

12 'Kovachevski on the Croatian Model: We Need a Model That Will Suit Macedonian Society and Our Laws (Ковачевски за хрватскиот модел: Ни треба модел кој ќе одговара на македонското општество и на нашите закони)', *TV 21*, 5<sup>th</sup> April 2023, <https://mk.tv21.tv/kovachevski-za-hrvatskiot-model-ni-treba-model-koj-ke-odgovara-na-makedonskoto-opshество-i-na-nashite-zakoni/>.

13 'A Party from the Coalition of SDSM Accepts the Position of VMRO-DPMNE for the "Croatian Model" of the Constitution (Партија од коалицијата на СДСМ го прифаќа ставот на ВМРО-ДПМНЕ за „хрватски модел“ на Уставот)', *Expres.Mk*, 4<sup>th</sup> April 2023, <https://www.expres.mk/partija-od-koalicijata-na-sdsm-go-pri-fakja-stavot-na-vmro-dpmne-za-hrvatski-model-na-ustavot/>.

14 'AA: The Solution Offered by VMRO-DPMNE Is Absolute Ignorance of Reality – "the Dominance of One Ethnic Group Has Ended Once and for All" (AA: Решението што го нуди ВМРО-ДПМНЕ е апсолутно непознавање на реалноста – „доминацијата на еден етникум заврши еднаш засекогаш“)', *TV 21*, 2<sup>nd</sup> April 2023, <https://mk.tv21.tv/aa-reshenieto-shto-go-nudi-vmro-dpmne-e-apsolutno-nepoznavane-na-realnosta-dominatsijata-na-eden-etnikum-zavrshi-ednash-zasekogash/>.

15 'DUI: VMRO-DPMNE to Send a Representative to the Commission for Constitutional Amendments (ДУИ: ВМРО-ДПМНЕ да испрати претставник во комисијата за уставни измени)', *24 Vesti*, 2<sup>nd</sup> April 2023, <https://24.mk/details/dui-vmro-dpmne-da-isprati-pretstavnik-vo-komisijata-za-ustavni-izmeni/>.

16 'Pendarovski on the Demands from the Opposition for a Croatian Model: We Should Not Waste Time with That (Пендаровски за барањата од опозицијата за хрватски модел: Не треба да губиме време со тоа)', 6<sup>th</sup> April 2023, <https://mk.tv21.tv/pendarovski-za-baranata-od-opozitsijata-za-hrvatski-model-ne-treba-da-gubime-vreme-so-toa/>.

17 'The government appointed Artan Grubi as the coordinator of the construction of Corridor 8 (Владата го назначи Артан Груби за координатор на изградба на Коридор 8)', *Sakam da kazam*, 5<sup>th</sup> April 2023, <https://sdk.mk/index.php/makedonija/vladata-go-naznachi-artan-grubi-za-koordinator-za-izgradba-na-koridorot-8/>.

18 'Request to Withdraw the Agenda of Session 112 of the Assembly of the Republic of North Macedonia, Scheduled for 10<sup>th</sup> April, 2023 at 11 a.m. (Барање за повлекување на дневниот ред на Седница 112 на Собранието на Република Северна Македонија, закажано на 10 април 2023 година во 11 часот)', *The Platform of Civil Organizations for Fight Against Corruption*, 9<sup>th</sup> April 2023, <https://bit.ly/44N0NZP>.

19 'The agreement for the construction of the highways is secret, but if the laws demanded by "Bechtel-Enka" are not passed, the construction will be more expensive than 1.3 billion euros, says Grubi (Договорот за градба на автопатиштата е тајна, но ако не се изгласаат законите што ги бара „Бехтел-Енка“ градбата ќе биде поскапа од 1,3 милијарди евра, вели Груби)', *Sakam da kazam*, 12<sup>th</sup> April 2023, <https://sdk.mk/index.php/makedonija/dogovorot-za-gradba-na-avtopatishтата-e-tajna-no-ako-ne-se-izglasaatzakonite-shto-gi-bara-behtel-enka-gradbata-ke-bide-poskapa-od-1-3-milijardi-evra-veli-grubi/>.

opposition parties raised concerns about potential penalties and delays impacting the public budget. VMRO-DPMNE claimed to have obtained a copy of the contract. However, they refused to participate in the parliamentary session to explain the contract to VMRO-DPMNE MPs with security certificates, thus insisting on disclosing the contract. The debate was further heated by labelling the laws related to this project under the European flag, to which the EU Delegation in Skopje reacted by saying the use of EU flags was not justified.<sup>20</sup>

Regarding the constitutional changes, after the request of the Bulgarian Minister of Foreign Affairs Nikolay Milkov to be consulted on the constitutional amendments, the Ministry of Foreign affairs of North Macedonia responded by saying that there is neither the possibility nor the political will to include Bulgaria in the process of constitutional changes related to accession negotiations for membership in the European Union.<sup>21</sup> This was followed by a harsh reaction by President Stevo Pendarovski that Bulgaria's request to participate in the process of bringing amendments to the Constitution was scandalous and that occupiers do not even make such requests.<sup>22</sup>

After several requests for a leadership meeting by the opposition leader Mickovski, a meeting between Prime Minister Kovachevski and the opposition leader Mickovski finally took place on the 7<sup>th</sup> June, where several proposals and counter-proposals were discussed.<sup>23</sup> The outcome of the meeting was an invitation to the opposition to be part of governing coalition and head five ministries. In contrast, an additional counteroffer by competitors was that the constitutional amendments should have a delayed effect and a technical government be formed without including DUI. On the same day, DUI declared that they were ready to step out of the government and yet still support a government without DUI to secure the European future of the country.<sup>24</sup> According to the opposition, there are different interpretations of what was agreed.<sup>25</sup> According to Kovachevski, the delayed effect of the constitutional amendments represent a change in the negotiation framework, which is not a viable solution. The second counteroffer of VMRO-DPMNE is that the elections in the autumn (September or October) are over three dates and guarantees from the EU for the protection of the national interests of North Macedonia.<sup>26</sup>

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20 'Maricic: European Flag on the Corridor Laws to Avoid the Blockade from Levisa (Маричиќ: Европско знаме на законите за коридорите за да се избегне блокадата од Левица)', *Sloboden Pecat*, 5<sup>th</sup> May 2023, <https://www.slobodenpecat.mk/marichikj-evropsko-zname-na-zakonite-za-koridorite-za-da-se-izbegne-blokadata-od-levisa/>.

21 'There is neither the possibility nor the will for Bulgaria to be included in the constitutional amendments, Osmani replied to Milkov (Нема ниту можност, ниту волја Бугарија да биде вклучена во уставните измени, му одговори Османи на Милков)', *Sakam da kazam*, 5<sup>th</sup> April 2023, <https://sdk.mk/index.php/makedonija/nema-nitu-mozhnost-ni-volja-bugarija-da-bide-vkluchena-vo-ustavnite-izmeni-mu-odgovori-osmani-na-milkov/>.

22 'Occupiers do not make such requests like Bulgaria, Pendarovski says (Ни окупатори не упатуваат такви барања како Бугарија, кажа Пендаровски)', *Sakam da kazam*, 6<sup>th</sup> April 2023, <https://sdk.mk/index.php/makedonija/ni-okupatori-ne-upatuvaaat-takvi-barana-ka-ko-bugarija-kazha-pendarovski/>.

23 'Kovachevski: After the Meeting with Mickovski, There Is a Good Basis for the Dialogue about the Details to Continue through Working Groups (Ковачевски: По средбата со Мицкоски има добра основа дијалогот за деталите да продолжи низ работни групи)', *Official Website of the Political Party Social Democratic Union of Macedonia (SDSM)*, 19<sup>th</sup> June 2023, <https://sdsdm.org.mk/soopstenija/67927>.

24 'Osmani: We Are Ready to Support a Government without DUI, If the Opposition Votes for the Amendments to the Constitution (Османи: Подготвени сме да поддржиме Влада без ДУИ, ако опозицијата гласа за измените на Уставот)', *Fokus*, 7<sup>th</sup> June 2023, <https://fokus.mk/osmani-podgotveni-sme-da-poddrzhime-vlada-bez-dui-ako-opozitsijata-glasa-za-izmenite-na-ustavot/>.

25 'Stojanoska: Does SDS Have a Problem with the Guarantees for Macedonia from the EU or with the Fact That DUI Should Go into Opposition, so It Is Silent about the Proposals of VMRO-DPMNE (Стојаноска: Дали СДС има проблем со гаранциите за Македонија од ЕУ или со тоа што ДУИ треба да оди во опозиција, па молчи за предлозите на ВМРО-ДПМНЕ)', *Official Website of the Political Party Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO-DPMNE)*, 13<sup>th</sup> June 2023, <https://bit.ly/44SMMK7>.

26 'Milososki: SDSM Should Clearly State Which of the Two Proposals of VMRO-DPMNE It Accepts (Милошоски: СДСМ јасно да каже кој од двата предлога на ВМРО-ДПМНЕ го прифаќа)', *360 Stepeni*, 10<sup>th</sup> June 2023, <https://360stepeni.mk/video-milososki-sdsdm-jasno-da-kazhe-koj-od-dvata-predlozi-na-vmro-dpmne-go-prifaka/>.

The EU delegation in North Macedonia, regarding the outcome of the leaders' meeting between Prime Minister Dimitar Kovacevski and VMRO-DPMNE leader Hristijan Mickoski, stated that it does not comment on internal discussions, while on the other hand, regarding the constitutional amendments, reiterated on the conclusions of the Council of EU from July 2022.<sup>27</sup> Additionally, the European ambassador David Geer stated that no new agreements, guarantees, or promises should be expected regarding the accession process of North Macedonia to the EU regarding the request of the leader of VMRO-DPMNE, Hristijan Mickoski, for firm guarantees from the EU that the request for the inclusion of Bulgarians in the Constitution will be the last.<sup>28</sup>

The working group's proposals for the constitutional amendments have been prepared but still not discussed in the government. According to the Prime Minister, they will be discussed once sorted out by the services and when they come on the agenda.<sup>29</sup> The Social Democratic Union of Macedonia (SDSM) called on VMRO-DPMNE to nominate and send representatives to the working group for constitutional amendments.

The relations between the countries continued to be affected by the incident in Struga related to an attack on the president of the association of Bulgarians in North Macedonia – 'Shemeto' from the city of Struga. These kinds of events continue to fuel inflaming discussions on social networks. The Ministry of Foreign Affairs (MFA) called for refrain from jumping to early conclusions until an investigation has been carried out.<sup>30</sup>

The Constitutional Court rejected the initiative of the political party Levica, with which the party challenged and demanded that the Statute and the program of the Bulgarian cultural centre 'Ivan Mihailov' in Bitola be annulled.<sup>31</sup>

Regarding the elections, at the beginning of June, the National Democratic Institute (NDI) published the results of the poll 'North Macedonia: Citizens' Perception of the General Situation, Economic Policies and Consumer Protection' carried out in mid-April. The results show that if parliamentary elections were held tomorrow, 21.5% of voters would vote for the opposition VMRO-DPMNE, 13.9% for the ruling SDSM, and 6.2% for DUI. For 2..2% of respondents, the option is an invalid ballot, and 16.7% said they would not vote. According to the poll, 3.6% of the respondents would opt for Besa Movement, 3.4% would vote for the Alliance for Albanians (AA), 2.9% of the voters would support the Left, and 1.7% of respondents would vote for the Movement of Maxim Dimitrievski.<sup>32</sup>

There are still ambiguities regarding the dates of carrying out the presidential and the parliamentary elections and their overlap, which could lead to a vacuum without a President, which in the opinion of experts, is a situation which should be avoided.

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27 'The EU Delegation Does Not Comment on the Leaders Meeting, Regarding the Constitutional Amendments It Says That This Is Clearly Stated in the Conclusions of the EU from July 2022 (Делегацијата на ЕУ не ја коментира лидерската, во врска со уставните измени вели дека тоа јасно стои во заклучоците на ЕУ од јули 2022)', *MIA - Media Information Agency*, 12<sup>th</sup> June 2023, <https://bit.ly/3rFJfAz>.

28 'Geer: We Should Not Expect New Guarantees for the EU (Гир: Не треба да се очекуваат нови гаранции за во ЕУ)', *Deutsche Welle*, 15<sup>th</sup> June 2023, <https://www.dw.com/mk/gir-za-baraneto-na-vmrodpme-ne-treba-da-se-ocekuvaaat-novi-dogovori-garancii-i-vetuvana-za-vo-eu/a-65922483>.

29 'Constitutional Amendments Will Not Be Reviewed at Today's Government Session (Уставните амандмани нема да бидат разгледувани на денешната владина седница)', *Kanal 5*, 20<sup>th</sup> June 2023, <https://kanal5.com.mk/ustavnite-amandmani-nema-da-bidat-razgleduvani-na-deneshnata-vladina-sednica/a587473>.

30 'Kadrieski Case: An Incident in a Critical Time (Случај Кадриески: Инцидент во критичен период)', *Deutsche Welle*, 14<sup>th</sup> June 2023, <https://www.dw.com/mk/slucaj-kadrieski-incident-vo-kriticen-period/a-65909008>.

31 'The Constitutional Court Rejected the Initiative for the Association "Cultural Center Ivan Mihailov - Bitola" (Уставниот суд ја отфрли иницијативата за Здружението „Културен Центар Иван Михајлов - Битола)', *MIA - Media Information Agency*, 14<sup>th</sup> June 2023, <https://bit.ly/3Q8Imel>.

32 'NDI: Citizens Most Concerned about Living Standard, Low Salaries and Pensions, Crime, Corruption', *MIA - Media Information Agency*, 6<sup>th</sup> June 2023, <https://mia.mk/en/story/ndi-citizens-most-concerned-about-living-standard-low-salaries-and-pensions-crime-corruption>.

## Civil Society

The Council for Cooperation between the Government and Civil Society continued the boycott and was waiting for a response from the Government representatives on meeting requests.

## Civilian oversight of the security/intelligence sector

VMRO-DPMNE raised allegations of abuses in the monitoring of communications stating that citizens' privacy is threatened and the credibility of the Operational-Technical Agency (OTA) is called into question. According to VMRO-DPMNE, the Assembly, the Commission for Supervision over the Implementation of Measures to Monitor Communications, in its 15<sup>th</sup> session, reviewed information on the operations of the Operational Technical Agency. The Commission has established a suspicion that the OTA violated Article 2 of the Law on Monitoring of Communications by making an illegal purchase that can be misused, and the purchase was made without the appropriate approval as stipulated in paragraph 2 of this Article. With the support of all deputies, regardless of the political party, the commission has unanimously concluded this suspicion and will inform the Public Prosecutor's Office (PPO) of the Republic of North Macedonia. VMRO-DPMNE has called on the PPO to act following the law and open an investigation as soon as possible.<sup>33</sup>

In May, the Agency for national security arrested three citizens of North Macedonia who, in 2014, fought for Islamic State (ISIS) in Syria.<sup>34</sup>

## Public Administration Reform

The draft PAR Strategy for 2023-2030 has been prepared and received comments from Support for Improvement in Governance and Management (SIGMA)/ the Organisation for Economic Co-operation and Development (OECD) but has yet to be adopted by the Government.<sup>35</sup>

In mid-April, the second meeting of the working group took place at the Government of the Republic of North Macedonia to draft the Transparency Strategy. This strategy aims to enhance transparency within the Government and its associated institutions, thereby increasing citizen trust and promoting the democratisation of the state. The new Transparency Strategy focuses on facilitating more accessible access to services and reinforcing institutional accountability.<sup>36</sup>

33 'Petrushevski: OTA Procured Funds That Can Be Misused for Illegal Monitoring of Citizens' Communications, We Also Informed PPO (Петрушевски: ОТА извршила набавка на средства кои можат да бидат злоупотребени за незаконско следење на комуникациите на граѓаните, го известивме и ЈО)', *Official Website of the Political Party Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO-DPMNE)*, 16<sup>th</sup> June 2023, <https://bit.ly/3Q6bT8e>.

34 'Announcement of Realized Joint Action (Соопштение за реализирана заедничка акција)', *Official Website of the Agency for National Security*, 12<sup>th</sup> May 2023, <http://anb.gov.mk/vesti.html>.

35 Miloš Đinđić, Sava Mitrović, and Milica Škorić, 'WESTERN BALKAN PAR MONITOR 2021/2022' (European Policy Centre – CEP, Belgrade 2023), <https://cep.org.rs/wp-content/uploads/2023/06/Regional-PAR-Monitor.pdf>.

36 'The Process of Preparing the Government's Transparency Strategy with Action Plan (2023-2026) Began', *Metamorphosis*, 24<sup>th</sup> April 2023, [https://metamorphosis.org.mk/en/aktivnosti\\_arhiva/the-process-of-preparing-the-governments-transparency-strategy-with-action-plan-2023-2026-began/](https://metamorphosis.org.mk/en/aktivnosti_arhiva/the-process-of-preparing-the-governments-transparency-strategy-with-action-plan-2023-2026-began/).



On the 26<sup>th</sup> April, 2023, the Minister for Information Society and Administration held a press conference on the Annual Report of the Register of Public Sector Employees 2022. In the public sector of the Republic of North Macedonia, there are 1,354 institutions with 129,374 employees (18,909 people are employed in the army, the Intelligence Agency, the National Security Agency, the Ministry of Interior and the Public Security Bureau, as well as in the body within the Ministry of Finance - the Financial Intelligence Authority). Of the total employees, 62,178 are women, and 48,287 are men. Again, the data on temporary employment needs to be included.<sup>37</sup>

On the 16<sup>th</sup> May 2023, the Minister for Information Society and Administration and the Minister for Interior promoted the e-citizenship service.<sup>38</sup>

Within the framework of the commitment to continuous and accelerated digital transformation, the Minister for Information Society and Administration and the President of the Republic of North Macedonia, on the 29<sup>th</sup> May 2023, promoted four new e-services (control of the list of logs for implemented access to the user's data, confirmation of the personal data contained in the Central Population Register, issuance of a certificate for the data registered in the civil registry for insurance experience, earned wages and benefits (certificate of registered working experience), and issuance of an extract from a computer record - form m1/m2 of registration/deregistration in the compulsory social insurance).<sup>39</sup>

On the 14<sup>th</sup> June 2023, the Minister for Information Society and Administration held a press conference on the occasion of 100 days since he assumed office. He pointed out that the Digital Agency is in the establishment phase and will focus on digital inclusion and public services, improving the country's economy, transparency and accountability. He pointed out that developing Information communication technology (ICT) and Cyber Security Strategies is ongoing. It was emphasised that the National Portal for Citizen Services would also offer electronic services in Albanian language. Another project he pointed out is creating 'One Point for Services' in 333 locations nationwide in cooperation with the Post Office of North Macedonia.

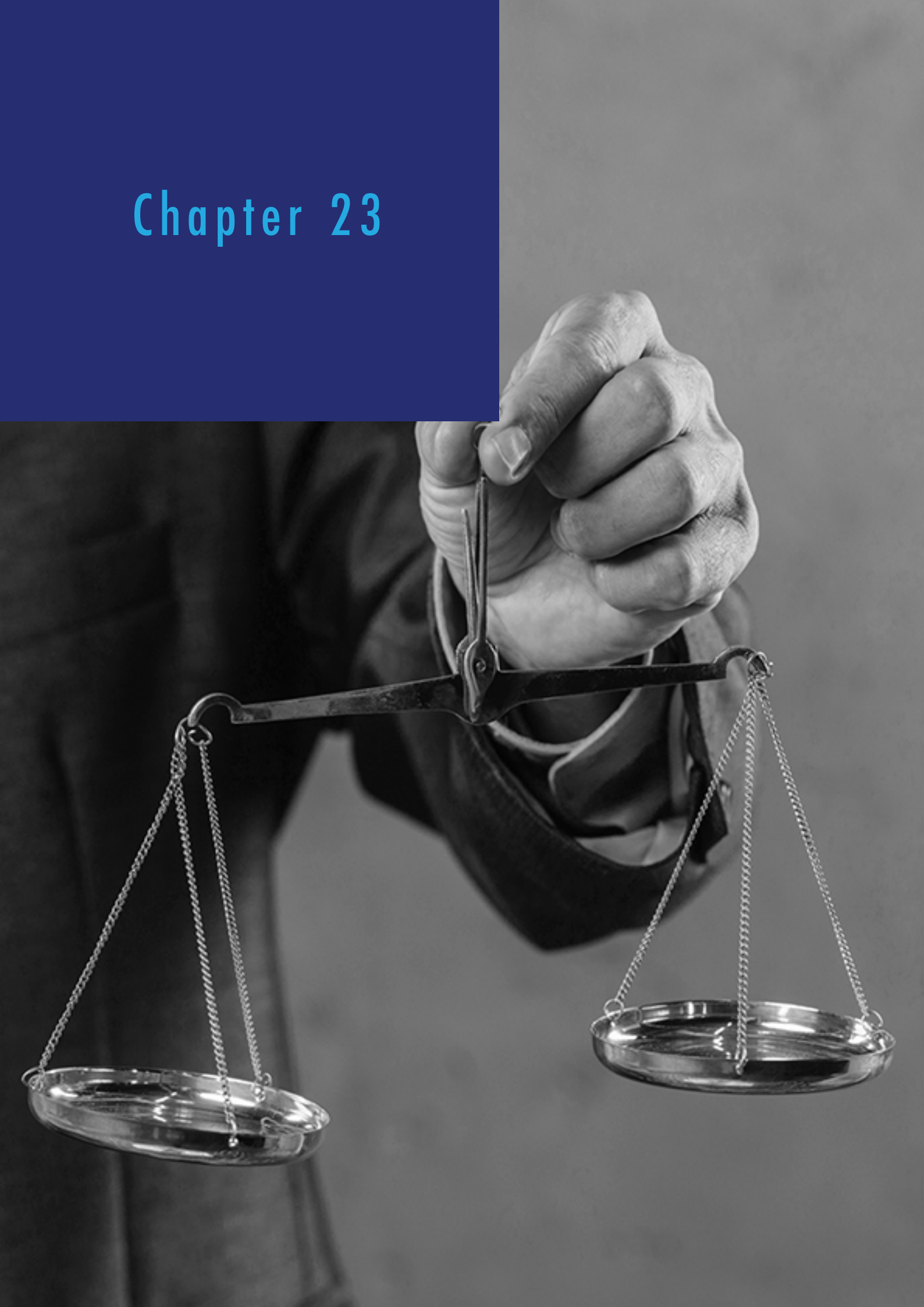
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37 'The Annual Report for Employees in the Public Sector for 2022 Was Presented (Презентиран годишниот извештај за вработените во јавниот сектор за 2022 година)', *Official Website of the Ministry of Information Society and Administration*, 26<sup>th</sup> April 2023, <https://mioa.gov.mk/mk-MK/news/prezentiran-godishniot-izveshtaj-za-vrabotenite-vo-javniot-sektor-za-2022-godina-4669.nspх>.

38 'Aliu and Spasovski Promoted the Service: Issuance of the Certificate of Citizenship in Electronic Form (Алиу и Спасовски ја промовираа услугата: издавање на Уверение за државјанство во електронска форма)', *Official Website of the Ministry of Information Society and Administration*, 16<sup>th</sup> May 2023, <https://mioa.gov.mk/mk-MK/news/aliu-i-spasovski-ja-promoviraa-uslugata-izdavane-na-uverenie-za-drzavjanstvo-vo-elektronska-forma.nspх>.

39 'Aliu and Pendarovski Promoted New Electronic Services (Алиу и Пендаровски промовираа нови електронски услуги)', *Official Website of the Ministry of Information Society and Administration*, 29<sup>th</sup> May 2023, <https://mioa.gov.mk/mk-MK/news/aliu-i-pendarovski-promoviraa-novi-elektronski-uslugi.nspх>.

# Chapter 23



# Functioning of the judiciary

## Strategic documents

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

## Management bodies

During this quarterly period, the Judicial Council's actions have raised concerns and prompted reactions from experts and the international community. The Council's non-compliance with the Law on the Judicial Council and its by-laws, particularly the Rules of Procedure, became evident during a session on the 26<sup>th</sup> April 2023. At this session, which focused on disciplinary proceedings against a judge who intentionally delayed legal proceedings, unforeseen events occurred, culminating in the illegal dismissal of the Council's president.<sup>40</sup> Violations included failing to vote to adopt the proposed agenda<sup>41</sup> and unjustified differences in voting results between electronic and hand-raised votes.<sup>42</sup> The decision to dismiss the president was made without following the legal provisions governing the disciplinary procedure<sup>43</sup> and with an inadequate majority of votes, i.e. instead of eight, the decision was made with seven votes "FOR", one of which was also a vote of the member who initiated the dismissal initiative, contrary to the law.<sup>44</sup>

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40 The president of the Judicial Council was dismissed because she refused to put the item that was not on the agenda for voting, but also after fierce accusations that she concealed the letter that the American ambassador sent to the Judicial Council on April 11, which contains criticisms of the work of the courts. 'Announcement from the 438<sup>th</sup> Session of the Judicial Council of the RNM - 26.04.2023 (Соопштение од 438-та седница на Судскиот совет на РСМ - 26.04.2023 година)', *Official Website of the Judicial Council of the Republic of North Macedonia*, <https://bit.ly/3IVSi6t>.

41 'Report on the 438<sup>th</sup> Session of the Judicial Council of the Republic of North Macedonia Held on April 26, 2023 (Извештај за 438-та седница на Судскиот совет на Република Северна Македонија, одржана на 26.04.2023 година)' (Coalition 'All for Fair Trials'), [https://drive.google.com/file/d/1Vrpta0K7JBPkocvnlh-Cmrypm5-M-6mV/view?fbclid=IwAR2\\_hEZlzfzdgHnpuF99SYyJtQo5-Sno5u8KA-VA7KIIYuGTJRUhLgwyYh0M](https://drive.google.com/file/d/1Vrpta0K7JBPkocvnlh-Cmrypm5-M-6mV/view?fbclid=IwAR2_hEZlzfzdgHnpuF99SYyJtQo5-Sno5u8KA-VA7KIIYuGTJRUhLgwyYh0M).

42 Ibid.

43 The existing regulations provide for the procedure and conditions for the election of the president of the Judicial Council, but not the procedure, conditions and grounds for dismissal, in which respect there are only provisions for the disciplinary procedure and responsibility of a member of the Council. Article 36, paragraph 1 of the Law on the Judicial Council enumerates the powers of the Council, from which it is obvious that it can only decide on the disciplinary responsibility of a member of the Council and not on dismissal only from the position of president of the Judicial Council. Hence, it can be concluded that termination of the mandate of the President of the Judicial Council before its expiration is possible only if there is also a termination of his/her mandate as a member of the Council. As a consequence of this, termination of the mandate, in the sense of dismissal, can only exist as a result of a committed disciplinary violation in accordance with Article 34 of the Law on Judicial Council. However, in order for there to be any disciplinary measure or dismissal of a member of the Council, a disciplinary procedure must first be carried out in accordance with Article 35 of the Law on Judicial Council, i.e. a formally reasoned, request supported by evidence, submitted by any member of the Council or at least 20 judges. To such a request, the member against whom it is addressed can submit an answer within eight days from the day of receiving the request with the evidence, after which, within two days, the president or deputy president of the Council delivers the materials to the other members and schedules session at which the request will be discussed.

44 In order to be able to make a decision to dismiss a member of the Council, at least eight members with the right to vote must have voted for it, as well as at least two members elected by the Parliament. The member whose responsibility is decided and the member who is the petitioner do not participate in the vote.

Subsequently, the Judicial Council continued its illegal and non-transparent behaviour. It held three sessions, two of which were unlawfully conducted without public presence,<sup>45</sup> citing the provision<sup>46</sup> that allows excluding the public only to protect a judge's reputation and integrity, which was not applicable.<sup>47</sup> The 439<sup>th</sup> (public) session, which was supposed to take place on the 27<sup>th</sup> April 2023<sup>49</sup> and then on the 2<sup>nd</sup> May 2023, 50 was postponed by the Council due to insufficient members present (not all 13 voting members were present).<sup>48</sup> Eventually, the session took place on the 4<sup>th</sup> May 2023, despite the absence of a member,<sup>49</sup> and was announced just 15 minutes before the session began, thus undermining transparency.<sup>50</sup> During this session, it was also disclosed that a previous decision to dismiss the former president was withdrawn,<sup>51</sup> this time with the necessary majority, raising questions about the legality and procedural basis of the withdrawal and subsequent decision-making.<sup>52</sup> Questions were raised about how a decision was not formally made and was withdrawn, as it did not exist in written form, nor was it publicly published in the Official Gazette of the Republic of North Macedonia and whether it caused any legal action.<sup>53</sup> Additionally, the Law on the Judicial Council does not provide a procedure and a possibility of withdrawing the decisions, except for cancelling the findings after a previously submitted and accepted appeal against them.<sup>54</sup> Hence, in the absence of any transparency in the actions of the Council, questions were also raised about the procedure in which the decision to dismiss was withdrawn, based on which reasons and legal provisions the same was done, as well as in what procedure and on what legal basis was the new decision to dismiss the president of the Judicial Council.<sup>55</sup> Finally, at the first session after

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45 'Announcement from the 440<sup>th</sup> EMERGENCY Closed Session of the Judicial Council of the RNM- 05/04/2023 (Соопштение од 440-та ИТНА нејавна седница на Судскиот совет на РСМ - 04.05.2023 година)', *Official Website of the Judicial Council of the Republic of North Macedonia*, <https://bit.ly/3CtclEh>. ; 'Announcement from the 441<sup>st</sup> EMERGENCY Closed Session of the Judicial Council of the RNM- 05/04/2023 (Соопштение од 441-та ИТНА нејавна седница на Судскиот Совет на РСМ - 04.05.2023 Година)', *Official Website of the Judicial Council of the Republic of North Macedonia*, <https://avbc.me/bsY1oKhG>.

46 Art. 39 paragraph 2 of the Law on the Judicial Council of the Republic of North Macedonia (Закон за Судскиот совет на Република Северна Македонија), Official Gazette of the Republic of North Macedonia No. 102/2019.

47 It was stated that before holding the 439<sup>th</sup> session, the Council held two more sessions behind closed doors on the grounds that a sensitive topic was discussed, i.e. interpersonal relations in the Council, which according to the Law on the Judicial Council is not a basis for excluding the public. In addition, from this way of acting of the Council, contradictory actions of the Council in the same situation can be noticed. Thus, at the session held on the 26<sup>th</sup> April, 2023, this same item was made public, and citizens could follow the discussion and decision-making on it, while at today's session, although the same item was discussed, the public was not allowed to attend. 'Special Report on the Session of the Judicial Council of the RNM Held on 04. 05. 2023 (Посебен извештај за седницата на Судскиот совет на РСМ одржана на 04.05.2023 година)' (Coalition 'All for Fair Trials'), <https://drive.google.com/file/d/1PbXN6QrSYuTbew4gE-N4tilrgKxNmj8g3/view?fbclid=IwAR01qdQ58j89JsVE-mLBqira5F5qjrHnUMrTcGx1MyaVJO6jWg78plyy3jс>.

48 'The Judicial Council Again Postponed the Session for the Election of a New President (Судскиот совет повторно ја одложи седницата за избор на нов претседател)', *360 Stepeni*, 2<sup>nd</sup> May 2023, <https://360stepeni.mk/sudskiot-socket-povtorno-ja-odlozhi-sednitsata-za-izbor-na-nov-pretседatel/>.

49 'Announcement from the Continuation of the 439<sup>th</sup> EMERGENCY Session of the Judicial Council of the RNM- 04.05.2023 (Соопштение од продолжение на 439-та ИТНА седница на Судскиот совет на РСМ - 04.05.2023 годин)', *Official Website of the Judicial Council of the Republic of North Macedonia*, <https://avbc.me/7VN1Oy0W>.

50 'The Judicial Council Continues with Illegal and Non-Transparent Actions- Reaction to the Events in the Judicial Council of the RNM at the Session Held on the 4<sup>th</sup> May, 2023 (Судскиот совет продолжува со незаконитото и нетранспарентното постапување- Реакција по повод случувањата во Судскиот совет на РСМ на седницата одржана на 4 мај 2023)', *Official Website of the Blueprint Group for Judicial Reforms*, 5<sup>th</sup> May 2023, <https://avbc.me/ziuFUYK5>.

51 'Announcement from the 440<sup>th</sup> EMERGENCY Closed Session of the Judicial Council of the RNM- 05/04/2023 (Соопштение од 440-та ИТНА нејавна седница на Судскиот совет на РСМ - 04.05.2023 година)'.

52 Ibid.

53 'Special Report on the Session of the Judicial Council of the RNM Held on 04. 05. 2023 (Посебен извештај за седницата на Судскиот совет на РСМ, одржана на 04.05.2023 Година)'.

54 'Law on the Judicial Council of the Republic of North Macedonia (Закон за Судскиот совет на Република Северна Македонија)', Official Gazette of the Republic of North Macedonia No. 102/2019.

55 'REACTION: The Judicial Council Has an Obligation to Be Transparent to the Public (РЕАКЦИЈА: Судскиот совет има обврска да биде транспарентен кон јавноста)', *Official Website of the Association of Journalists of Macedonia*, 9<sup>th</sup> May 2023, <https://avbc.me/Oven1YqH>.



the election of the new president, the Judicial Council decided for the first time in the work of the Council to remove the cameras of the journalistic teams from the room where the session was being held.<sup>56</sup> Amidst these developments, the former president filed a criminal complaint and a lawsuit challenging the dismissal decision<sup>57</sup> while an examination of potential conflicts of interest in her tenure was initiated.<sup>58</sup>

The actions of the Judicial Council discussed above have been subject to scrutiny and have prompted legal and transparency concerns. They also generated significant reaction from state officials, professionals, the international community, and the general public, which led to doubts about the institution's legitimacy.<sup>59</sup> Consequently, projects and financial resources designated for the Judicial Council were halted, and calls for resignations from council members emerged.<sup>60</sup> Currently, two members, one from the Skopje appellate district and one from the judges of the Supreme Court, have resigned,<sup>61</sup> and a public announcement was made to replace them.<sup>62</sup> However, no candidates were put forward despite issuing a public call for nominations from human rights and rule of law organisations and foundations of a candidate and his deputy in the Selection Committee.<sup>63</sup> The only viable path to address the situation resulting from the Council's illegal operations would require the resignation of the remaining members.<sup>64</sup> Additionally, the Minister of Justice proposed consultations with the government and political parties to terminate the mandate of the current Council composition through legal transitional provisions.<sup>65</sup> It is important to note that this initiative, involving interventions by the executive and legislative branches, risks undermining judicial independence and establishing a dangerous precedent that could be exploited.

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56 Ibid.

57 'The Ex-President of the Judicial Council, Vesna Dameva, Submitted a Criminal Complaint to the Skopje Prosecutor's Office and a Lawsuit to the Administrative Court for Her Dismissal (Експретседателката на Судскиот совет, Весна Дамева, поднесе кривична пријава до Скопско обвинителство и тужба до Управниот суд за нејзино разрешување)', *Sakam da kazam*, 19<sup>th</sup> May 2023, <https://avbc.me/H13Y6sg>.

58 These days, information appeared that the former president of the Council participated in proceedings in which judges, presidents of courts are evaluated or decided, even though they conducted cases in which a person involved as a defendant or plaintiff, was/is her husband, president of the management board and general director of "Skopski Pazar". "Circus" in the Judicial Council („Циркус“ во Судскиот совет)', *Telma TV*, 5<sup>th</sup> June 2023, [https://sitel.com.mk/cirkus-vo-sudskiot-sovet?fbclid=IwAR3mMPqJcKdw95Wgo\\_v6ZeJkxDRSmqdqSyMQi\\_ofuyNxzLRGe-1HxEY1TUY](https://sitel.com.mk/cirkus-vo-sudskiot-sovet?fbclid=IwAR3mMPqJcKdw95Wgo_v6ZeJkxDRSmqdqSyMQi_ofuyNxzLRGe-1HxEY1TUY).

59 'The Judicial Council Continues with Illegal and Non-Transparent Actions- Reaction to the Events in the Judicial Council of the RNM at the Session Held on the 4<sup>th</sup> May, 2023 (Судскиот совет продолжува со незаконитото и нетранспарентното постапување- Реакција по повод случувањата во Судскиот совет на РСМ на седницата одржана на 4 мај 2023)'

60 'Request for Resignation of the Members of the Judicial Council (Барање За Поднесување На Оставка На Членовите На Судски Совет)' (Platform of civil society organizations for fight against corruption, 10<sup>th</sup> May 2023), <https://avbc.me/FmzGb9Kk>.

61 'Supreme Judge Radevska-Stefkova and Appellate Judge Gerasimovski Submitted Their Resignations to the Judicial Council (Врховната судијка Радевска-Стефкова и апелациониот судија Герасимовски поднесоа оставки во Судскиот совет)', *Sakam Da Kazam*, 6<sup>th</sup> June 2023, <https://avbc.me/h66JvIQ9>.

62 'Announcement for the Selection of Members of the Judicial Council from the Ranks of Judges, Namely: One Member from the Ranks of Judges from the Skopje Appellate Area and One Member from the Ranks of Judges from the Supreme Court of RNM (Оглас за избор на членови на Судскиот совет од редот на судиите и тоа: Еден член од редот на судиите од Апелационо подрачје Скопје и еден член од редот на судиите од Врховен суд на РСМ)', Official Gazette of the Republic of North Macedonia No. 120/2023.

63 'Public Call to Associations and Foundations in the Field of Human Rights and the Rule of Law (Јавен повик до здруженијата и фондациите од областа на човековите права и владеењето на правото)' (Judicial Council of the Republic of North Macedonia, 13<sup>th</sup> June 2023), <https://avbc.me/m1KCwTqG>.

64 Platform of civil society organizations to fight against corruption and Blueprint Group for Judicial Reform, 'Nomination of Members in the Commission for Conducting Elections for Members of the Judicial Council (Номинација на членови во комисијата за спроведување на избори за членови на Судски совет)', 23<sup>rd</sup> June 2023, <https://avbc.me/Cf5GKbzZ>.

65 'The Minister of Justice Loga with a Proposal to Dissolve the Judicial Council (Министерот за правда Лога со предлог за распуштање на Судскиот совет)', *Radio Free Europe*, 19<sup>th</sup> June 2023, <https://www.slobodnaevropa.mk/a/32465824.html>.

During this quarterly period, concerns arose regarding the Council of Public Prosecutors' unfamiliarity with the work and handling of cases by two prosecutors who returned from the Special Public Prosecutor's Office (SPPO) to their parent prosecutor's office after four years. These concerns were raised following a letter from a public prosecutor at the Basic Public Prosecutor's Office in Kumanovo.<sup>66</sup> This situation is troubling because Article 9 of the Law on the Council of Public Prosecutors<sup>67</sup> outlines the Council's responsibilities, including the obligation to review and evaluate annual reports from public prosecutor's offices, which implies that the Council should have reviewed and evaluated reports from the offices where these prosecutors are assigned. Furthermore, one of the prosecutors in question is also responsible for the liaison office with Eurojust, which requires the preparation of special reports on their work in that role.<sup>68</sup> These reports indicate that the prosecutor uses separate offices outside the parent prosecutor's office building. Additionally, the Public Prosecutor of the Republic of North Macedonia has issued special decisions assigning duties and responsibilities to these prosecutors regarding the care of materials, inventory, and premises previously used by the Public Prosecutor's Office for Prosecution of Criminal Offenses Related to and Arising from the Content of Illegal Interception of Communications (Special Public Prosecutor's Office) (SPPO).<sup>69</sup>

During the same session, the Council of Public Prosecutors elected the member from among the public prosecutors representing minority communities in the country.<sup>70</sup>

## Independence and impartiality

Despite ongoing criticisms and appeals for changes to certain provisions of the Code of Ethics for Public Prosecutors,<sup>71</sup> which restrict their ability to comment on cases and publicly discuss the work of the Council of Public Prosecutors and the Republic Public Prosecutor<sup>72</sup> that go against the principles of transparent and accountable action covered by the Law on Public Prosecution,<sup>73</sup> these provisions continue to be enforced.<sup>74</sup> Notably, when a public prosecutor criticised the Council's work and decision-making during a conference,<sup>75</sup> the Council referred the matter to the Ethics Council of Public Prosecutors to determine if the prosecutor should be held accountable for the public remarks.<sup>76</sup>

66 'Report on the 78<sup>th</sup> Session of the Council of Public Prosecutors of the RNM Held on 27.04. 2023 (Извештај за 78-ма седница на Советот на јавните обвинители на РСМ одржана на 27.04.2023 година)' (Coalition 'All for Fair Trials'), [https://drive.google.com/file/d/1q1OHQu2NZROMkwoFz1o1iq8fG537RNFP/view?fbclid=IwAR195t3PmzVlkX6vRSZCzAU6r1Dwde4kSYLEthrnETYlj2B8dVm-IW\\_8qRc](https://drive.google.com/file/d/1q1OHQu2NZROMkwoFz1o1iq8fG537RNFP/view?fbclid=IwAR195t3PmzVlkX6vRSZCzAU6r1Dwde4kSYLEthrnETYlj2B8dVm-IW_8qRc).

67 'Law on Amending and Supplementing the Law on the Council of Public Prosecutors (Закон за изменување и дополнување на Законот за Совет на јавни обвинители-', Official Gazette of the Republic of North Macedonia no. 42/2020.

68 'Report on the 78<sup>th</sup> Session of the Council of Public Prosecutors of the RNM Held on 27.04. 2023 (Извештај за 78-ма седница на Советот на јавните обвинители на РСМ одржана на 27.04.2023 година)'.

69 Ibid.

70 'Announcement (Соопштение)', *Official Website of the Council of Public Prosecutors of the Republic of North Macedonia*, 27<sup>th</sup> April 2023, <https://avbc.me/220cnWY2>; 'Election Notice (Соопштение за избор)', *Official Website of the Council of Public Prosecutors of the Republic of North Macedonia*, <https://avbc.me/DxAOpov>.

71 Iva Conevska Vangelova and Ismail Kamberi, 'Shadow Report for Chapter 23 for the Period between April 2020 and September 2021', Skopje 2021, <https://bit.ly/3DQ0hOx>.

72 'Code of Ethics of Public Prosecutors in the Republic of North Macedonia (Етички кодекс на јавните обвинители во Република Северна Македонија)' (Public Prosecutor's Office of the Republic of North Macedonia, 5<sup>th</sup> May 2021), <https://avbc.me/oc3X6LFu>.

73 'Law on Public Prosecution (Закон за јавно обвинителство)', Official Gazette of the Republic of North Macedonia No. 42/2020.

74 'Report on the 78<sup>th</sup> Session of the Council of Public Prosecutors of the RNM Held on 27.04. 2023 (Извештај за 78-ма седница на Советот на јавните обвинители на РСМ одржана на 27.04.2023 година)'.

75 'Lenče Ristoska: The Council of Public Prosecutors Is a Source of Influence Trading and Should Be Reformed (Ленче Ристоска: Советот на јавни обвинители е извор на тргување со влијание и треба да се реформира)', *Telma TV*, 25<sup>th</sup> April 2023, <https://telma.com.mk/2023/04/25/lenche-ristoska-sovetot-na-javni-obviniteli-e-izvor-na-trguvanje-na-vlijanie-i-treba-da-se-reformira/>.

76 'The Council of Public Prosecutors Is Angry with Lenče Ristoska for the Statement That They Trade in Influence (Советот на јавни обвинители и се налути на Ленче Ристоска за изјавата дека тргуваат со влијание)', *Sakam da kazam*, 27<sup>th</sup> April 2023, <https://sdk.mk/index.php/makedonija/sovetot-na-javni-obviniteli-se-naluti-na-lenche-ristoska-za-izjavata-deka-trguvaat-so-vlijanie/>.

During this quarter, the Judicial Media Council adopted the Council's Work Plan for 2023-2025 to enhance transparency and cooperation between journalists and judges.<sup>77</sup> As part of this plan, the Council appointed members to meet with the Judicial Budget Council to secure funding for hiring public relations personnel in appellate courts and courts with expanded jurisdiction.<sup>78</sup> Furthermore, the Judicial Media Council held a meeting with the new president of the Judicial Council to prevent the disruption of cameras during council sessions.<sup>79</sup> For this purpose, as well as for greater transparency of the Council, a journalist with many years of work experience in the area of the judiciary was engaged.<sup>80</sup>

## Accountability

After facing disciplinary charges and a proposal for dismissal,<sup>81</sup> the former head of the Basic Public Prosecutor's Office for Prosecuting Organised Crime and Corruption (BPPPOCCC) claimed that she experienced pressure and threats to resign.<sup>82</sup> She stated that these pressures began after she initiated an investigation against the then Secretary General of the Government regarding a software procurement case for traffic violations.<sup>83</sup> Allegedly, she was offered the position of deputy state public prosecutor in exchange for her resignation. In contrast, her sister's nephew, a prosecutor in the Basic Public Prosecutor's Office in Kumanovo, was promised a position in the Higher Public Prosecutor's Office in Skopje.<sup>84</sup> She emphasised that the disciplinary procedure imposed on her and her proposed dismissal resulted from a deliberate search for foul play.<sup>85</sup>

In a letter to the media, the Austrian ambassador criticised the Macedonian judiciary and prosecution for failing to enforce a debt payment of 4.5 million euros owed by a Macedonian company to an Austrian company.<sup>86</sup> The Austrian company had obtained a favourable decision from an international arbitration procedure, but its implementation took time in Macedonian courts.<sup>87</sup> The letter mentioned abuse of office by notaries, cadastres, executors, and court officials who allegedly favour the debtor company.<sup>88</sup> The CEO of the debtor company is said to be related to the former prime minister and leader of SDSM.<sup>89</sup> In

77 'Announcement (Соопштение)', *Official Facebook Page of the Judicial Media Council at the Association of Judges of the Republic of North Macedonia*, 28<sup>th</sup> April 2023, <https://www.facebook.com/SMSovet/posts/pfbid0bMBkxevh8z1fhFzQmmabKYV2pjBR9ktec8fbEwqRdPXi2ePTgnyFV7DLnBLXVI>.

78 Ibid.

79 'There Will Be Cameras in the Judicial Council as before and from Now on (Камери во Судскиот совет како досега, така и отсега натаму, ќе има)', *Official Facebook Page of the Judicial Media Council at the Association of Judges of the Republic of North Macedonia*, 19<sup>th</sup> May 2023, <https://www.facebook.com/SMSovet/posts/pfbid031EpGHec59Gs2bRg6jo8pDR153g4w4HePbYLzSJ7iAtDhyc47a3apkp1WYRt966l>.

80 'Announcement (Соопштение)', *Official Website of the Judicial Council of the Republic of North Macedonia*, 19<sup>th</sup> May 2023, <https://avbc.me/rsUvYKRB>.

81 Announcement (Соопштение), *Official Website of the Public Prosecutor's Office of the Republic of North Macedonia*, 30<sup>th</sup> March 2023, <https://jorm.gov.mk/sooopshtenie/>.

82 Vilma Ruskovska, *Top Tema*, *Telma TV*, 3<sup>rd</sup> April 2023, <https://www.youtube.com/watch?v=9elwuTjvUXI&t=488s>.

83 Ibid.

84 The former head of the BPPPOCCC believes that the case with the former Secretary General of the Government is also the reason for the imposed disciplinary penalty- a reduction of the monthly salary by 30% of the paid net salary for a period of six months to the prosecutor who led the investigation and represents the prosecution in the courtroom.

85 Another interesting moment that Ruskovska mentioned in a guest appearance in "Top Tema" was about the period during which she was suspended when she claimed that her office drawers were emptied. Then, she says "during the emptying, evidence of a case related to the misuse of European funds disappeared." Ruskovska, *Top Tema*.

86 'The Austrian Ambassador Demands the Replacement of Judges and Prosecutors Who Were Biased in the Case of Zoran Zaev's Cousin (Австрискиот амбасадор бара смени на судии и обвинители кои биле пристрасни во случај со братучетка на Зоран Заев)', *Telma TV*, 27<sup>th</sup> June 2023, [https://telma.com.mk/2023/06/27/avstriskiot-ambasador-bara-smeni-na-sudii-i-obviniteli-koi-bile-pristrasni-vo-sluchaj-so-bratuchetka-na-zoran-zaev/?fbclid=IwAR2e3tj8\\_Pd-aIjovnwE0wbnvkfBUmTCjU5Pd30YzXXu\\_eCMMGnq\\_c-ZaxU](https://telma.com.mk/2023/06/27/avstriskiot-ambasador-bara-smeni-na-sudii-i-obviniteli-koi-bile-pristrasni-vo-sluchaj-so-bratuchetka-na-zoran-zaev/?fbclid=IwAR2e3tj8_Pd-aIjovnwE0wbnvkfBUmTCjU5Pd30YzXXu_eCMMGnq_c-ZaxU).

87 Ibid.

88 Ibid.

89 Ibid.

response, the former prime minister distanced himself from the accusations and warned of a defamation lawsuit if he is mentioned again in a similar context.<sup>90</sup> The Judicial Council and the Basic Public Prosecutor's Office also announced the allegations. Regarding the former, an inspection by the coordinators of the Gevgelija Basic Court and the Skopje Court of Appeal was indicated, with an examination of the case files, the actions taken by the courts and the decisions made, after which a record will be drawn up with specific measures taken for the follow-up of the case, taking care not to affect the findings of the court.<sup>91</sup> Regarding the latter, it was confirmed that three criminal charges had been submitted to the Gevgelija Basic Public Prosecutor's Office for various acts and parties to the dispute, with the Gevgelija Basic Public Prosecutor's Office making the assurance that the proposed criminal charges will be dealt with in a timely manner.<sup>92</sup>

## Professionalism and competence

In the reporting period, the Council of Public Prosecutors elected 21 public prosecutors for the Basic Public Prosecutor's Offices in Shtip, Bitola, Veles, Gevgelija, Gostivar, Debar, Delchevo, Kichevo, Kumanovo, Ohrid, Prilep, Sveti Nikole, Struga, and Tetovo<sup>93</sup> from among the candidates from the Academy for Judges and Public Prosecutors (AJPP) seventh generation, as well as president of the Basic Court of Strumica.<sup>94</sup>

The lack of an appropriately accredited institution to conduct integrity and psychological tests for judges delayed the selection process. After receiving a delayed opinion from the Ministry of Justice, the Judicial Council entered into a new annexe agreement for one year with the company 'Vista Group' and the Institute for Sociological and Political-Legal Research, which have been conducting the tests thus far.<sup>95</sup> However, this problem<sup>96</sup> has resulted in the blockage of the selection of eight judges for the Court of Appeal in Skopje, the remaining two judges for the Supreme Court, and 30 candidates from the Academy of Judges and Public Prosecutors.<sup>97</sup>

90 'Zaev Warned the Austrian Ambassador with a Lawsuit for Defamation and Asked the Courts to Work Fully, Independently and without Pressure in the Case (Заев го предупреди австрискиот амбасадор со тужба за клевета, и побара од судовите целосно, независно и без притисок да работат во случајот)', *Infomax*, 27<sup>th</sup> June 2023, <https://avbc.me/LORLwuKM>.

91 This is so because according to the Law on Courts, the examination and control of the decisions of the lower courts is carried out by the higher court. 'Announcement of the Judicial Council Regarding the Allegations of the Austrian Ambassador (Соопштение на Судскиот совет околу наводите на австрискиот амбасадор)', *Official Website of the Judicial Council of the Republic of North Macedonia*, 28<sup>th</sup> June 2023, <https://avbc.me/N6i3An8C>.

92 'FACTOR OF THE DAY: The Austrian Company Filed Three Criminal Charges, the Prosecutor's Office Confirmed (ФАКТОР НА ДЕНОТ: Австриската компанија поднела три кривични пријави, обвинителството потврди)', *Faktor*, 28<sup>th</sup> June 2023, <https://faktor.mk/faktor-na-denot-avtriskata-kompanija-podnela-tri-krivichni-prijavi-obvinitelstvoto-potvrdi>.

93 'Announcement from the Eightieth Session of the Council of Public Prosecutors (Соопштение од осумдесетта седница на Советот на јавните обвинители)', *Official Website of the Council of Public Prosecutors of the Republic of North Macedonia*, <https://avbc.me/g9gM28wi>.

94 Contribution to the quarterly report by the Coalition "All for Fair Trials", 13<sup>th</sup> July, 2023.

95 'Announcement from the 445th Session of the Judicial Council of the Republic of North Macedonia (Соопштение од 445 седница на Судскиот совет на Република Северна Македонија)', *Official Website of the Judicial Council of the Republic of North Macedonia*, 15<sup>th</sup> June 2023, <https://avbc.me/Z9n9luMk>.

96 With the expiration of the last annexe to the agreement on December 16<sup>th</sup>, 2022, the former president of the Judicial Council asked the Government for an opinion on the continuation of cooperation, to which the Accreditation Institute said that the aforementioned company and institute are not accredited, and there is no such institution with the necessary accreditation in the country. As a continuation, the Ministry of Justice replied to the Council that the problem had been solved and that the psychological and integrity test should be taken at the Academy for Judges and Public Prosecutors (AJPP). But the position of the AJPP was that their tests are only for candidates for judges and prosecutors and that they cannot give the tests to other institutions (i.e., they are not accredited). 'Psychological Tests – a Brake for the Selection of New Judges (Психолошките тестови – кочница за избор на нови судии)', *Prizma/Balkan Investigative Reporters Network (BIRN) Macedonia*, 7<sup>th</sup> June 2023, <https://prizma.mk/psiholoskite-testovi-kochnitsa-za-izbor-na-novi-sudii/?fbclid=IwAR17HMxWY8JmJ3kADNMaVL9AiHoLSUZrBopXUdEZcSDQDPORjYMEQYgcLKQ>.

97 'The Selection of Judges Is Blocked - There Is No Accredited Institution for Testing Their Integrity and Psychological State (Блокиран изборот на судии- нема акредитирана институција за тестирање на нивниот интегритет и психолошка состојба)', *Telma TV*, 6<sup>th</sup> June 2023, <https://telma.com.mk/2023/06/06/blokiran-izborot-na-sudii-nema-akreditirana-institucija-za-testiranje-na-nivniot-integritet-i-psiholoska-sostojba/>.



## Quality of justice

After facing delays and revisions, the new Law on the Academy for Judges and Public Prosecutors was finally adopted on the 14<sup>th</sup> June, 2023.<sup>98</sup> The law aims to unify judicial practice by increasing the training volume for judges at the Academy and introducing new criteria for the composition of its management bodies.<sup>99</sup> It also incorporates recommendations from the 2018 Technical Assistance and Information Exchange instrument of the European Commission (TAIEX) assessment mission, ensuring that the Academy remains the sole entry point for aspiring judges and prosecutors. The law changes the entrance exam, reducing complaint processing times and redefining the final exam format. Continuous training programs will be strengthened to incorporate legislative and judicial practice innovations at both domestic and international levels.<sup>100</sup> The qualification test for the ninth generation of trainees was postponed to align with the new law's implementation timeline.<sup>101</sup>

## Efficiency

During a meeting with the newly elected president of the Judicial Council, the Trade Union of the Workers in Administration, Juridical Authorities and Citizens' Associations of Macedonia (UPOZ) demanded an urgent resolution of the salary supplements issue and an increase in salaries for judicial service employees.<sup>102</sup> They also expressed dissatisfaction with the lack of promotions in the courts due to the non-enforcement of regulations by the Ministry of Justice.<sup>103</sup> If no solution is found, UPOZ Trade Union representatives threatened to go on strike, which would disrupt court operations.<sup>104</sup>

Regarding high-profile cases, the statute of limitations expired on the 7<sup>th</sup> April, 2023, for the Titanik 2 case, with the former Security and Counterintelligence Administration director being the first defendant.<sup>105</sup> The trial for the remaining defendants, scheduled for the 13<sup>th</sup> April, 2023, was postponed due to their absence.<sup>106</sup> In the 'Softveri' case, where the former Secretary General of the Government is the first defendant, material evidence was presented on the 12<sup>th</sup> May, 2023, marking the end of the evidentiary procedure.<sup>107</sup> The general prosecutor from BPPOPOCC presented his closing arguments on the

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

99 Ibid.

100 Ibid.

101 'Notification of the Further Course of the Entrance Exam for Admission to IX Generation Initial Training (Известување за понатамошниот тек од приемниот испит за прием во IX генерација почетна обука)', *Official Website of the Academy for Judges and Public Prosecutors "Pavel Shatev"*, 23<sup>rd</sup> May 2023, <https://avbc.me/aQJdA2OJ>.

102 'A Strike in the Courts Is Becoming More and More Likely If the Problem with Salary Supplements and the Amount of Salaries of Employees in the Judicial Service Is Not Resolved (Се произвесен е штрајкот во Судовите доколку не се реши проблемот со додатоците на плата и висината на платите на вработените во Судската служба)', *Official Website of the Union of Workers from the Administration, Judicial Authorities and Citizens' Associations of the Republic of Macedonia* (blog), 6<sup>th</sup> June 2023, <https://www.upoz.org.mk/mk/novosti/353-se-poizvesen-e-strajkot-vo-sudovite-dokolku-ne-se-resi-problemot-so-dodatocite-na-plata-i-visinata-na-platite-na-vrabo-tenite-vo-sudskata-sluzba>.

103 Ibid.

104 Ibid.

105 'As of Today, Mijalkov's Work in "Titanic 2" Is Statute-Barred (Од денеска делото на Мијалков во „Титаник 2“ е застарено)', *360 Stepeni*, 7<sup>th</sup> April 2023, <https://360stepeni.mk/od-deneska-deloto-na-mijalkov-vo-titanik-2-e-zastareno/>.

106 Ivana Petkovska, 'Monitoring Brief: Current High-Profile Court Proceedings (Мониторинг бриф: Актуелни високо-профилirани судски постапки)' (Coalition 'All for Fair Trials', April 2023), <https://drive.google.com/file/d/1YhFxzECW5quYqzFgCOyof771zE5N1O8D/view?fbclid=IwAR1O7Kj4Q4oKFEEE6Ufk5l17HjNtJJejcQ181S6n1BcZJGTPz9fp9sperH4>.

107 Ivana Petkovska, 'Monitoring Brief: Current High-Profile Court Proceedings (Мониторинг бриф: Актуелни високо-профилirани судски постапки)' (Coalition 'All for Fair Trials', May 2023), [https://drive.google.com/file/d/17EgZQo5tQVGpmjBkwyTLOpfkExsYW-bD/view?fbclid=IwAR3gZsDjWebOPcohf3rL\\_h7dovxH2eVbr9b7btMH8iGRpQGRuZnWsj2CeF8](https://drive.google.com/file/d/17EgZQo5tQVGpmjBkwyTLOpfkExsYW-bD/view?fbclid=IwAR3gZsDjWebOPcohf3rL_h7dovxH2eVbr9b7btMH8iGRpQGRuZnWsj2CeF8).

same day,<sup>108</sup> followed by the parties involved on the 25<sup>th</sup> May<sup>109</sup> and 15<sup>th</sup> June, 2023.<sup>110</sup> The verdict is scheduled to be announced on the 6<sup>th</sup> July, 2023.<sup>111</sup>

The US embassy sent a letter<sup>112</sup> with sharp criticism to the executive and judicial authorities regarding high-profile cases that were overturned and returned for retrial by the Skopje Court of Appeal on the 11<sup>th</sup> April, 2023.<sup>113</sup> This led to discussions about increasing the promptness of the Court of Appeal<sup>114</sup> and resulted in the dismissal of the President mentioned above of the Judicial Council.<sup>115</sup>

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108 The public prosecutor, giving the closing arguments, emphasized that the evidence presented by the prosecution during the main hearing, as well as those proposed by the defendants themselves, proved beyond a reasonable doubt the actions that are charged to the defendants. Taking into account everything expressed in the closing words, the prosecutor's office proposed to the court to sentence the defendants to punishments appropriate to the crimes committed. At the same time, the public prosecutor proposed that the two university professors be sentenced to a penalty- a ban on performing their duties as professors. 'The Prosecutor's Office Gave Closing Arguments in the "Softveri" Case (Обвинителството даде завршни зборови во предметот „Софтвери“)', *Official Website of the Public Prosecutor's Office of the Republic of North Macedonia*, 13<sup>th</sup> May 2023, <https://jorm.gov.mk/obvinitelstvoto-dade-zavrshni-zborovi-vo-predmetot-softveri/>.

109 'Closing Remarks on the 'Softveri' Case, the Trial Continues on 12<sup>th</sup> June (Завршни зборови за случајот „Софтвери“, судењето продолжува на 12 јуни)', *Libertas*, 25<sup>th</sup> May 2023, <https://libertas.mk/zavrshni-zborovi-za-slucahot-softveri-sudeeto-prodolzhuvana-12-uni/>.

110 'On the 6<sup>th</sup> of next Month, a Verdict on "Softveri" (На 6-ти идниот месец пресуда за „Софтвери“)', *Fokus*, 15<sup>th</sup> June 2023, <https://fokus.mk/na-6-ti-idniot-mesets-presuda-za-softveri/>.

111 Ibid.

112 'The American Ambassador Reprimanded the Judicial Institutions (Американскиот амбасадор ги прекори правосудните институции)', *Alsati M*, 25<sup>th</sup> April 2023, <https://alsat.mk/mk/amerikanskiot-ambasador-gi-prekori-pravosudnite-institutsii/>.

113 Angela Delevska et al., 'Quarterly Brief: Rule of Law in View of EU Accession – January-March 2023' (European Policy Institute- Skopje, 27<sup>th</sup> April 2023), <https://epi.org.mk/post/24424>.

114 'PUBLIC RELEASE (СООПШТЕНИЕ ЗА ЈАВНОСТ)', *Official Website of the Court of Appeal Skopje (Court Portal of the Republic of North Macedonia)*, 25<sup>th</sup> April 2023, <https://avbc.me/nQvi9Mcl>.

115 '(Video) Ageler's Letter Led to a Clash in the Judicial Council: Dameva's Dismissal Is Demanded, She Claims That This Is Not the Correct Reason ((Видео) Писмото од Агелер доведе до судир во Судскиот совет: се бара разрешување на Дамева, таа тврди дека ова не е точната причина)', *Makfax*, 26 April 2023, <https://avbc.me/QQP5KIRQ>.

# Fight Against Corruption

According to the latest 'Nations in Transition' report by Freedom House, North Macedonia has achieved some progress, but political dysfunction remains present. The country earned an overall score of 48/100, while on the scale of progress, the lowest is in the corruption category, with a score of 3.25. Thus, the fight against corruption remains an area requiring serious action.<sup>116</sup>

## State Commission for Prevention of Corruption

During the quarterly period, several developments related to corruption and the fight against corruption took place in North Macedonia. The State Commission for Prevention of Corruption (SCPC) organised the Annual Conference to evaluate the implementation of the National Strategy for Prevention of Corruption and Conflict of Interest for 2022.<sup>117</sup> The conference revealed a need for more progress in implementing measures to combat corruption, with only 10% of planned activities being implemented.<sup>118</sup>

Workshops were initiated in May to review and propose amendments to the National Strategy.<sup>119</sup>

The implementation of software by the SCPC to check asset declarations of elected officials faced delays and synchronisation issues, which opens the possibility that elected officials will be able to avoid reporting their assets or simply not report all of them.<sup>120</sup>

The SCPC, with support from the OSCE Mission in Skopje, presented a Corruption Risk Assessment of the Judiciary in the Republic of North Macedonia, highlighting the everyday corruption risks perceived by judges and public prosecutors.<sup>121</sup>

The Mayor of Struga was blacklisted by the US for alleged involvement in major corruption,<sup>122</sup> and the SCPC conducted several corruption investigations against him.<sup>123</sup> The SCPC faced challenges handling corruption cases, accusing other institutions of inaction.<sup>124</sup> The Vice Prime Minister expressed doubts

116 "Freedom House" Report: For Macedonia, the Lowest Score for Corruption (Извештај на „Фридом хаус“: За Македонија, најниска оценка за корупција), *24 Vesti*, 24<sup>th</sup> May 2023, <https://24.mk/details/izveshtaj-na-fridom-khaus-za-makedonija-najniska-ocenka-za-korupcija>.

117 'Annual Conference for the Evaluation of the Implementation of the National Strategy for Prevention of Corruption and Conflict of Interest 2021-2025 (Годишна конференција за оценка на остварувањето на Националната стратегија за спречување на корупцијата и судирот на интереси 2021-2025)', *Official Website of the State Commission for Prevention of Corruption*, 6<sup>th</sup> April 2023, [bit.ly/3OYs6f4](https://bit.ly/3OYs6f4).

118 'A Desperate 10 Percent of Anti-Corruption Activities Were Implemented Last Year (Очајни 10 отсто од активностите за борба против корупцијата биле спроведени лани)', *Radio MOF*, 5<sup>th</sup> April 2023, <https://www.radiomof.mk/ochajni-10-otsto-od-aktivnostite-za-borba-protiv-korupcijata-bile-sprovedeni-lani/>.

119 'Workshops for Amending and Supplementing the National Strategy for Prevention of Corruption and Conflict of Interest 2021-2025 (Работилници за изменување и дополнување на Националната стратегија за спречување на корупцијата и судирот на интереси 2021-2025)', *Official Website of the State Commission for Prevention of Corruption*, 8<sup>th</sup> May 2023, [bit.ly/3MXuX5k](https://bit.ly/3MXuX5k).

120 'With the SCPC Software in an Experimental Phase and without a Law, the Property of the Elected Officials Remains Unverified (Со софтверот на ДКСК во експериментална фаза и без закон, имотот на функционерите останува непроверен)', *Meta.Mk*, 8 May 2023, <https://meta.mk/so-softverot-na-dksk-vo-eksperimentalna-faza-i-bez-zakon-imotot-na-funkcionerite-ostanuva-neproveren/?fs=e&s=cl>.

121 'Publication of the Corruption Risk Assessment of the Judiciary in the Republic of North Macedonia (Публикација на Проценка на ризиците од корупција во правосудството во Северна Македонија)', *Official Website of the State Commission for Prevention of Corruption*, 16<sup>th</sup> June 2023, <https://bit.ly/3qPtmt>.

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

123 Ibid.

124 'The Petition for the President of the Struga Court Has Disappeared, There Is a Case for the Audi in the Prosecutor's Office, but It Is Not Active (Исчезната е претставката за претседателот на струшкиот суд, предмет за аудито во обвинителство има ама не е активен)', *mkd.mk*, 23<sup>rd</sup> June 2023, <https://mkd.mk/node/518881>.

about the SCPC's effectiveness,<sup>125</sup> prompting a response from the SCPC reminding him of possible corruption accusations.<sup>126</sup> Civil organisations urged the government to support independent anti-corruption institutions and ensure the rule of law.<sup>127</sup>

## The Public Prosecutor's Office

During the reporting period, significant developments occurred regarding Corridor 8 and 10d construction.<sup>128</sup> The government introduced amendments to five laws related to these projects, aiming for faster and cheaper construction.<sup>129</sup> The laws were marked with the European flag, which caused concerns from the EU Delegation, stating that amendments may not comply with EU legislation and standards.<sup>130</sup> Despite the concerns, the Parliament adopted<sup>131</sup> the amendments.<sup>132</sup>

In the ongoing investigations<sup>133</sup> of the corridor construction agreement, the BPPPOCC<sup>134</sup> and the SCPC<sup>135</sup> received the agreement, although the SCPC pointed out missing parts.<sup>136</sup> The Government explained that the SCPC received a redacted agreement version due to its confidentiality clause.<sup>137</sup>

125 'Grubi: Anti-Corruption Has Not Had a Single Success (Груби: Антикорупциска нема ниту еден успех)', *Fokus*, 27<sup>th</sup> June 2023, <https://fokus.mk/grubi-antikoruptionska-nema-nitu-eden-uspeh/>.

126 'SCPC to Grubi: We Do Not Have the Capacity to Drive in Official Vehicles, but We Have Enough to Fight Your Orchestrated Attacks (ДКСК до Груби: Немаме капацитет да се возиме во службени возила, но имаме да се избориме со вашите оркестрирани напади)', *360 Stepeni*, 28<sup>th</sup> June 2023, <https://360stepeni.mk/dksk-do-grubi-nemame-kapatsitet-da-se-vozime-vo-sluzhbeni-vozilano-imame-da-se-izborime-so-vashite-orkestrirani-napadi/>.

127 'Request to Stop the Pressure on Independent Institutions in the Fight against Corruption (Барање за стопирање на притисокот кон независните институции во борбата против корупцијата)', *The Platform of Civil Organizations for Fight Against Corruption*, 29<sup>th</sup> June 2023, <https://bit.ly/3Q4gZBM>.

128 'The Agreement for the Construction of Corridor 8 and 10 e Has Been Signed, the Implementation of One of the Largest Infrastructure Projects Begins (Потпишан договорот за изградба на Коридорот 8 и 10 д, започнува реализацијата на еден од најголемите инфраструктурни проекти)', 8<sup>th</sup> March 2023, <https://vlada.mk/node/32389>.

129 'Grubi: Five New Draft Laws for Corridors 8 and 10d, It Depends on the Members of the Parliament Whether the Construction Will Be Faster and Cheaper or Slower and More Expensive (Груби: Нови пет предог-закони за коридорите 8 и 10д, од пратениците зависи дали изградбата ќе биде побрза и поевтина или побавна и поскапа)', *Brif.Mk*, 5<sup>th</sup> May 2023, <https://www.brif.mk/grubi-novi-pet-predog-zakoni-za-koridorite-8-i-10d-od-pratenicite-zavisi-dali-izgradbata-ke-bide-pobrza-i-poevtina-ili-pobavna-i-poskapa/>.

130 'From the EU Delegation: The European Flag on the Draft Laws on the Corridors Is Not Justified (Од Делегацијата на ЕУ за „Слободен печат“ : Не е оправдано европското знаме на предлог-законите за коридорите)', *Sloboden Pecat*, 5<sup>th</sup> May 2023, <https://www.slobodenpecat.mk/od-delagacijata-na-eu-za-sloboden-pechat-ne-e-opravdano-evropskoto-zname-na-predlog-zakonite-za-koridorite/>.

131 'On the day reserved for parliamentary questions, the parliamentary majority passed the five laws on the construction of highways by "Bechtel and Enka" ( На денот резервиран за пратенички прашања, парламентарното мнозинство ги донесе петте закони за градбата на автопатите од „Бехтел и Енка“)', *Sakam da kazam*, 26<sup>th</sup> May 2023, <https://sdk.mk/index.php/makedonija/na-denot-rezerviran-za-pratenichki-prashana-parlamentarnoto-mnozinstvo-gi-donese-pette-zakoni-za-gradbata-na-avtopatite-od-behtel-i-enka/>.

132 'Law amending and supplementing the Law on Labour Relations'; 'Law amending and supplementing the Law on Expropriation'; 'Law amending and supplementing the Law on Construction'; 'Law amending and supplementing the Law on Urban Planning' and 'Law amending and supplementing the Law on Determining Public Interest and Nominating a Strategic Partner for the Implementation of the Project for Construction of the Infrastructure Corridor 8 (section: Tetovo- Gostivar- Bukojčani and the project for the highway Trebenishta- Struga- Kafasan) and Corridor 10d (section of the highway Prilep- Bitola) in the Republic of North Macedonia', Official Gazette of the Republic of North Macedonia No. 111/2023.

133 'The Prosecutor's Office Opened a Case on the Surveillance of Corridors 8 and 10 d (Обвинителството отвори предмет за надзорот врз коридорите 8 и 10 д)', *Nova TV*, 28<sup>th</sup> March 2023, <https://novatv.mk/obvinitelstvoto-otvori-predmet-za-nadzorot-vrz-koridorite-8-i-10-d/>. 'SCPC Opened an Investigation on the Construction of Corridors 8 and 10 (Антикорупциска отвора предмет за изградбата на коридорите 8 и 10)', *Republika*, 9<sup>th</sup> March 2023, <https://republika.mk/vesti/makedonija/antikoruptionska-otvara-predmet-za-izgradbata-na-koridorite-8-i-10/>.

134 'The Agreement with "Bechtel and Enka" Submitted to the Public Prosecutor's Office (Договорот со „Бехтел и Енка“ доставен до Јавното обвинителство)', *Sloboden Pecat*, 5<sup>th</sup> May 2023, <https://www.slobodenpecat.mk/dogovorot-so-behtel-i-enka-dostaven-do-javnoto-obvinitelstvo/?fbclid=PAaAaWtwnGbV1rT2xKFY8UM53jHa98qh317ZR5mHeIXLLNm9AXEOydskf5Y>.

135 'The Agreement with "Bechtel and Enka" Is on the Desk of the Anticorruption Commission (Договорот со „Бехтел и Енка“ на биро кај Антикорупционерите)', *Telma TV*, 19<sup>th</sup> May 2023, <https://telma.com.mk/2023/05/19/dogovorot-so-behtel-i-enka-na-biro-kaj-antikoruptionskite/>.

136 'Anticorruption Commission: Parts of the Agreement with "Bechtel and Enka" Are Missing (Антикорупциска: Недостасуваат делови од договорот со „Бехтел и Енка“)', *Telma TV*, 25<sup>th</sup> May 2023, <https://telma.com.mk/2023/05/25/antikoruptionska-nedostasuvaat-delovi-od-dogovorot-so-behtel-i-enka/>.

137 'Grubi: Anti-Corruption Received a Redacted Version of the Agreement with "Bechtel and Enka" (Груби- Антикорупциска доби редактирана верзија од Договорот со „Бехтел и Енка“)', *Slobodnaevropa.Mk*, 1<sup>st</sup> June 2023, <https://www.slobodnaevropa.mk/a/32438910.html>.



The trial of the 'Softveri' case, involving the former Secretary-General of the Government, reached its final stage, with the prosecution demanding a prison sentence and the return of money.<sup>138</sup> The defendant argued that the evidence presented by the prosecution was insufficient.<sup>139</sup>

In the 'TNT' case, an ex-minister filed an appeal, claiming innocence and requested a retrial due to omissions in the first instance verdict.<sup>140</sup>

The BPPPOCC closed the open cases<sup>141</sup> against the former director of the Financial Police Office (FPO), as it determined that the accused had not committed the crimes of abuse of an official position, accepting bribes, violence, and harassment.<sup>142</sup> The acquitted former director accused the former head of the BPPPOCC of misuse of the public prosecutor's function in these cases and announced civil lawsuits against her for presenting false information and slander against him.<sup>143</sup>

On the 29<sup>th</sup> June, a former mayor and several others were detained in the 'Feniks' investigation related to the purchase of monuments.<sup>144</sup> The suspects include former government officials,<sup>145</sup> and the court issued detention measures for some of them.<sup>146</sup>

## Legal Framework

The new draft Law on the Management of Confiscated Property, Property Benefits and Seized Items in Criminal and Misdemeanour Proceedings, published on the National Electronic Register of Regulations (ENER) in July 2022,<sup>147</sup> is set to enter Government procedure, as determined in a meeting held between the Minister of Justice and the director of the Agency for Management of Confiscated Property. The

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138 'BPPPOCC Demands Prison for Rashkovski, to Return the Money and Ban from Being a University Professor (OJO ГОКК бара затвор за Рашковски, да ги врати парите и забрана да биде универзитетски професор)', *mkd.mk*, 13<sup>th</sup> May 2023, <https://mkd.mk/node/515800>.

139 'Rashkovski Requested an Acquittal in the "Software" Case with an "Anatomical Analysis of the Indictment" (Рашковски со „анатомска анализа на обвинителниот акт“ побара ослободителна пресуда во случајот „Софтвери“)', *360 Stepeni*, 12<sup>th</sup> June 2023, <https://360stepeni.mk/rashkovski-so-anatomska-analiza-na-obvinitelniot-akt-pobara-osloboditelna-presuda-vo-sluchajot-softveri/>.

140 'Janakieski Was Verbally Sentenced to 3 Years, and in Writing Received 3.6 Years for TNT: 248 Pieces of Evidence Are Missing, There Are Omissions, It Is Not Known Who Sustained Damages (Јанакиески усно казнет со 3 години, а писмено добил 3,6 години за ТНТ: недостигаат 248 докази, има пропусти, не се знае кој е оштетен)', *Makfax*, 8<sup>th</sup> May 2023, <https://bit.ly/3Cj9zTc>.

141 'What Will Be the Outcome of Muaremi's Battle with Ruskovska and Stafa (Каква разврска ќе има битката на Муареми со Русковска и Стафа)', *Slobodnaevropa.Mk*, 29<sup>th</sup> July 2022, <https://bit.ly/3ryiXQX>.

142 'BPPPOCC Closed the Cases on Arafat Muaremi Opened during the Mandate of the Previous Head Ruskovska (OJO ГОКК ги затвори предметите за Арафат Муареми отворени во мандатот на претходната шефица Русковска)', *360 Stepeni*, 9<sup>th</sup> June 2023, [https://360stepeni.mk/ojo-gokk-gi-zatvori-predmetite-za-arafat-muaremi-otvoreni-vo-mandatot-na-prethodnata-shefitsa-ruskovska/?fbclid=IwAR0\\_HzGmnPFM56dxXRuFJmJRuUckIDUCMO-uhJ7m-mDzHWHOLqjksR6Gi7Y](https://360stepeni.mk/ojo-gokk-gi-zatvori-predmetite-za-arafat-muaremi-otvoreni-vo-mandatot-na-prethodnata-shefitsa-ruskovska/?fbclid=IwAR0_HzGmnPFM56dxXRuFJmJRuUckIDUCMO-uhJ7m-mDzHWHOLqjksR6Gi7Y).

143 'Muaremi Is Suing Ruskoska (Муареми ја тужи Русковска)', *Sitel TV*, 10<sup>th</sup> June 2023, <https://sitel.com.mk/muaremi-ja-tuzhi-ruskoska>.

144 'Todorovic and a Dozen Other People Detained at the Skopje Airport (Тодоровиќ и уште десетина лица приведени на скопскиот аеродром)', *Skopje Info*, 30<sup>th</sup> June 2023, [https://skopjeinfo.mk/todorovik-i-ushte-desetina-lica-privedeni-na-skopskiot-aerodrom?fbclid=IwAR3hQ24ukQdkbpXzzmMrU5PCQBY2OfG\\_6u2LWY7L-\\_lybBtI0Nw6NxpVmA](https://skopjeinfo.mk/todorovik-i-ushte-desetina-lica-privedeni-na-skopskiot-aerodrom?fbclid=IwAR3hQ24ukQdkbpXzzmMrU5PCQBY2OfG_6u2LWY7L-_lybBtI0Nw6NxpVmA).

145 "'Feniks': Skopje 2014 Monuments Were Paid Drastically More Expensive than the Prices for Which They Were Made in Italy („Феникс“: Споменици од „Скопје 2014“ биле плаќани драстично поскапо од цените за кои биле излеани во Италија)', *360 Stepeni*, 30<sup>th</sup> June 2023, <https://360stepeni.mk/video-feniks-spomenitsi-od-skopje-2014-bile-plakani-drastichno-poskapo-od-tsenite-za-koi-bile-izleani-vo-italija/>.

146 'Detention of Vladimir and Aleksandar Zdraev, suspected of money laundering for the "Skopje 2014" monuments, the former mayor Todorović was given house arrest (Притвор за Владимир и Александар Здравев, осомничени за перење пари за спомениците од „Скопје 2014“, поранешниот градоначалник Тодоровиќ доби куќен притвор)', *Sakam da kazam*, 30<sup>th</sup> June 2023, <https://bit.ly/3OhYCIi>.

147 Ministry of Justice, "Draft Law on Confiscated Property, Property Benefit and Seized Items in Criminal and Misdemeanor Proceedings (Предлог закон за конфискуван имот, имотна корист и одземени предмети во кривична и прекршочна постапка)" (Electronic National Register of Regulations- ENER, July 15, 2022), [https://ener.gov.mk/Default.aspx?item=pub\\_regulation&subitem=view\\_reg\\_detail&itemid=74776](https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=74776).

new law is intended to strengthen the role and increase the responsibility of the Agency's Management Board, improve the methods of selling confiscated property by providing for additional sale methods and introduce the possibility of co-proprietors purchasing seized or confiscated items that are co-owned.<sup>148</sup>

On the 19<sup>th</sup> April, the Parliament discussion on the draft Law for Combatting Serious Forms of Organised Crime and High Profile Corruption began. The draft Law intends to establish an independent Agency for Combatting Serious Forms of Crime, which should detect serious forms of crime, file criminal charges, propose confiscation of property acquired through illegal means, as well as propose a ban on political activity.<sup>149</sup>

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148 'Draft Law on the Management of Confiscated Property, Property Benefits and Seized Items in Criminal and Misdemeanour Proceedings Soon in Government Procedure (Предлог Законот за управување со конфискуван имот, имотна корист и одземени предмети во кривична и прекршочна постапка наскоро во владина процедура)', *Official Website of the Ministry of Justice*, 4<sup>th</sup> April 2023, <https://pravda.gov.mk/vest/6517>.

149 'Today, the Parliament Should Start Discussing the Establishment of the Agency for Combating High Profile Corruption (Собранието денеска треба да почне со расправа за формирање на Агенција за борба против висока корупција)', *Telma TV*, 19<sup>th</sup> April 2023, <https://telma.com.mk/2023/04/19/sobranieto-deneska-treba-da-pochne-so-rasprava-za-formiranje-na-agencija-za-borba-protiv-visoka-korupcija/>.

# Fundamental Rights

## Case Law of the European Court for Human Rights

In the case of *Dimchevska v. North Macedonia*, the applicant complained under Article 6 that she had not been able to obtain a retrial following her conviction in her absence and further raised other complaints under the same article concerning the fairness of the proceedings. The European Court of Human Rights (ECtHR) determined that she was not afforded with sufficient certainty the opportunity to obtain a fresh determination by a court of the merits of the charges against her with her defence rights fully, thus establishing a violation of Article 6 paragraph 1 of the ECHR.<sup>150</sup>

In the case of *Kitanovska and Barbulovski v. North Macedonia*, the applicants complained under Article 6 that their objections against payment orders issued by public notaries' had been rejected without being examined on the merits and deprived of an adequate legal remedy. The ECtHR declared the complaint under Article 6 Paragraph 1 of the ECHR concerning access to a court regarding one of the applicants admissible and found a violation under that provision while rendering the remainder of the complaints inadmissible.<sup>151</sup>

## The Ombudsperson

In the Annual Report of the National Preventive Mechanism for 2022,<sup>152</sup> the Ombudsperson highlighted the pressing issues in psychiatric hospitals and penitentiary institutions. Concerns were raised about poor hygiene and the presence of equipment for torture in psychiatric hospitals, such as 'Skopje' and 'Demir Hisar'.<sup>153</sup> Insufficient staff was also noted. In the Idrizovo penitentiary, inhumane conditions were found, with overcrowding and a staff shortage, including medical personnel. Examples of inmates sharing beds and sleeping on the ground, with limited access to proper sanitation facilities, were given.<sup>154</sup>

## Prison and detention facilities

The Government has approved amendments to the Law on Primary Education, which aim to establish a regular educational process for minors in educational-correctional and penal-correctional facilities. These amendments come as a response to recommendations and remarks made by the Ombudsperson<sup>155</sup> and the Commission for Prevention and Protection against Discrimination (CPPD).<sup>156</sup> The new amendments

150 ECtHR, 'Case of *Dimchevska v. North Macedonia* (Application no. 13919/18)', 4<sup>th</sup> April 2023, <https://bit.ly/43HqGK6>.

151 ECtHR, 'Case of *Kitanovska and Barbulovski v. North Macedonia* (Applications nos. 53030/19 and 31378/20)', 9<sup>th</sup> May 2023, <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-224560%22%5D%7D>.

152 The Ombudsperson of the Republic of North Macedonia, 'Annual Report of the National Preventive Mechanism for 2022 (Годишен Извештај На НПМ За 2022 Година)', 26<sup>th</sup> June 2023, <https://bit.ly/3K2ldWN>.

153 'In the Demir Hisar Psychiatric Hospital, the Ombudsman found binding belts, chains with padlocks and a thick cable (Во психијатриска болница во „Демир Хисар“, Народниот правобранител нашол каиши за врзување, синџири со катаџи и дебел кабел)', *Sakam da kazam*, 26<sup>th</sup> June 2023, <https://sdk.mk/index.php/makedonija/vo-psihijatriskata-bolnitsa-demir-hisar-narodniot-pravobranitel-nashol-kaishi-za-vrzuvane-sindhiri-so-katantsi-i-debel-kabel/>.

154 'Bad Conditions and Inhumane Treatment in Psychiatric Hospitals and Prisons, the Ombudsperson States (Лоши услови и нечовечки третман во психијатриските болници и затворите констатира омбудсманот)', *Slobodnaevropa.Mk*, 26<sup>th</sup> June 2023, <https://www.slobodnaevropa.mk/a/32476533.html>.

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

156 'CPPD with a GENERAL RECOMMENDATION to the Ministry of Education and the Directorate for Execution of Sanctions for the Provision of Compulsory Education in Correctional Institutions and Penitentiary Institutions (КСЗД со ОПШТА ПРЕПОРАКА кон МОН и Управата за извршување санкции за обезбедување задолжително образование во Воспитно-поправните установи и Казнено-поправните домови)', *Official Website of the Commission for Prevention and Protection against Discrimination*, 29<sup>th</sup> March 2023, <https://bit.ly/3nQdtyY>.

specify that the educational process for minors in these facilities should follow the teaching plans and programs for adult primary education, replacing the current models.<sup>157</sup>

On the 25<sup>th</sup> May, the Minister of Justice signed the amendments to the Rulebook on the deployment, classification and placement of convicted persons in penitentiary institutions to provide women serving prison sentences with the same rights and benefits as men.<sup>158</sup> The amendments prescribe that a female convict, who has been sentenced to up to three years in prison or has served a prison sentence of three years, will be able to use benefits per the Rulebook and the house rules of Idrizovo Prison.<sup>159</sup>

A criminal complaint has been submitted against an employee of the prison police in Idrizovo Prison, who committed the “unlawful release of a person deprived of liberty” because he released a convict, enabling him to escape from the facility. On the same day, the convict committed a robbery at gunpoint, and subsequently, he was caught by police officers and taken into custody.<sup>160</sup>

## Personal Data Protection

During the reporting period, the issue of personal data misuse for obtaining quick loans emerged. The Ministry of the Interior reported an increase in such cases, with 43 recorded last year and 76 cases between 2019 and 2021. Although the Ministry of Finance oversees financial companies, it does not address irregularities related to data misuse, attributing responsibility to the Ministry of Interior and the Agency for Personal Data Protection. The Agency, in turn, stated that remote electronic identification software used by companies could facilitate data misuse, urging individuals to report suspicions to them for investigation. The Ministry of Interior conducts investigations but acknowledges their complexity, leading to delays and potential reoccurrences of data misuse.<sup>161</sup>

## Freedom of Expression

During its 149<sup>th</sup> session, the Government finalised the draft law to amend and supplement the Law on Audio and Audiovisual Media Services.<sup>162</sup> The proposed amendments primarily address funding for the public service broadcaster, Macedonian Radio Television (MRT), and examine the possibility of reducing

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157 ‘Adopted Legal Amendments That Systematically Solve Education in Educational and Penal - Correctional Institutions (Усвоени законски измени со кои системски се решава образованието во воспитно и казнено – поправните установи)’, *Radio MOF*, 11<sup>th</sup> April 2023, <https://www.radiomof.mk/usvoeni-zakonski-izmeni-so-koj-sistemski-se-reshava-obrazovanieto-vo-vospitno-i-kazneno-popravnite-ustanovi/>.

158 ‘The Minister of Justice, Krenar Loga, Signed the Amendments to the Rulebook on the Deployment, Classification and Placement of Convicted Persons in Penitentiary Institutions. (Министерот за правда Кренар Лога ги потпиша измените на Правилникот за распоредување, класификација и разместување на осудените лица во Казнено-поправните установи)’, *Official Website of the Ministry of Justice*, 25<sup>th</sup> May 2023, <https://pravda.gov.mk/vest/6554>.

159 ‘Loga Signed: Women in “Idrizovo” Prison Will Have the Same Rights as Men (Лога стави потпис: Жените во затворот „Идризово“ ќе ги имаат правата како мажите)’, *tocka.com.mk*, 25<sup>th</sup> May 2023, <https://tocka.com.mk/vesti/446603/loga-stavi-potpis-zenite-vo-zatvorot-idrizovo-ke-gi-imaat-pravata-kako-mazite>.

160 ‘A Criminal Complaint against an Employee in Idrizovo Prison: He Allowed a Prisoner to Escape, Who Then Committed a Robbery in Скопје (Кривична пријава против вработен во затвор Идризово: Му овозможило на затвореник да избега, кој потоа ограбувал во Скопје)’, *TV 21*, 25<sup>th</sup> May 2023, <https://mk.tv21.tv/krivichna-prijava-protiv-vraboten-vo-zatvor-idrizovo-mu-ovozmozhilo-na-zatvorenik-da-izbega-koj-potoa-ograbuval-vo-skopje/>.

161 ‘Quick Loans on Someone Else’s Back (Брзи кредити на туѓ грб)’, *Prizma.Mk*, 29<sup>th</sup> May 2023, <https://prizma.mk/brzi-krediti-na-tug-grb/>.

162 ‘At the 149<sup>th</sup> Government Session: The Deadline for Freezing the Prices of Certain Products Has Been Extended; the Text of the Draft Law on AAVMS Has Been Determined; Conclusions Regarding the Lease of the Terminal in Alexandroupolis (Од 149-та владина седница: Продолжен е рокот за замрзнување на цените на определни производи; утврден е текстот на Предлогот на Закон за АВМУ; заклучоци околу закупот на терминалот во Александroupolis)’, *Official Website of the Government of the Republic of North Macedonia*, 25 April 2023, <https://vlada.mk/node/33034>.

its current funds. Additionally, the amendments aim to regulate multimedia content, encompassing text, audio, and video, while internet portals will be covered in future legal regulations.<sup>163</sup>

North Macedonia has seen an improvement in its ranking on the Reporters Without Borders Media Freedom Index, moving up to the 38<sup>th</sup> position out of 180 countries, a significant increase from its previous ranking of 57<sup>th</sup>. However, the report highlights challenges such as widespread misinformation, lack of professionalism, and declining trust in the media, which expose independent journalists to threats and attacks. The report also notes the persisting issue of hostile and demeaning behaviour from government officials towards journalists.<sup>164</sup>

In late June, journalists in North Macedonia faced a threat during television contact shows. An anonymous caller threatened to harm all television journalists, including the show's host. The Association of Journalists of Macedonia (AJM) denounced this threat as hate speech towards the entire journalism profession, media workers, and television, posing a direct risk to journalists' safety and freedom of expression.<sup>165</sup> The Agency for Audio and Audiovisual Media Services (AAVMS) also condemned these verbal threats, emphasising that they undermine democracy, freedom of expression, and the media's vital role in public interest and awareness. The safety of media workers must be protected at all times.<sup>166</sup>

## Vulnerable Groups and the Principle of non-Discrimination

In North Macedonia, the draft National Strategy for the Rights of Persons with Disabilities 2023-2030 was published in April,<sup>167</sup> followed by a final consultation in June.<sup>168</sup> The Strategy aims to promote and protect the rights of persons with disabilities and ensure their full participation and dignity. However, the 'We Change' coalition criticised the drafting process, claiming they were not invited to participate.<sup>169</sup> The Ministry of Labour and Social Policy defended the process, stating that several disability associations were involved.<sup>170</sup>

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163 'The Proposed Amendments to the Law on AAVMS Have Been Determined (Утврдени предлог-измените на Законот за АВМУ)', *Mkd. Mk*, 25<sup>th</sup> April 2023, <https://mkd.mk/node/514473>.

164 'N, Macedonia Is Progressing in Media Freedom (С. Македонија напредува според слободата на медиумите)', *Deutsche Welle*, 3<sup>rd</sup> May 2023, [https://www.dw.com/mk/s-makedonija-napreduva-spered-slobodata-na-mediumite/a-65500645?maca=maz-rss-maz-pol\\_makedonija\\_timemk-4727-xml-mrss](https://www.dw.com/mk/s-makedonija-napreduva-spered-slobodata-na-mediumite/a-65500645?maca=maz-rss-maz-pol_makedonija_timemk-4727-xml-mrss).

165 'AJM: Strong Condemnation of the Public Threats of Violence against Journalists and Media Workers, Presented in a Contact Show on TV24 (ЗНМ: Остра осуда за упатените јавни закани за насилство кон новинарите и медиумските работници, изнесени во контактна емисија на ТВ24)', *Official Website of the Association of Journalists of Macedonia*, 28<sup>th</sup> June 2023, <https://bit.ly/3JSspF3>.

166 'AAVMS: All Forms of Attacks on Journalists Are a Direct Attack on Democracy in a Society (ААВМУ: Сите форми на напади на новинарите се директен напад врз демократијата во едно општество)', *Radio MOF*, 29<sup>th</sup> June 2023, <https://www.radiomof.mk/aavmu-site-formi-na-napadi-na-novinarite-se-direkten-napad-vrz-demokratijata-vo-edno-opshtestvo/>.

167 Ministry of Labor and Social Policy, 'Draft National Strategy for the Rights of Persons with Disabilities 2023-2030 with Action Plans 2023-2026 (Нацрт- национална стратегија за правата на лицата со попреченост 2023- 2030 со Акциски планови 2023-2026)' (National Electronic Register of Regulations- ENER), 3<sup>rd</sup> April 2023), <https://ener.gov.mk/Default.aspx?item=newdocumentdetails&detailId=61>.

168 'Final consultation on the draft strategy on the rights of persons with disabilities (Завршна консултација за нацрт-стратегијата за правата на лицата со попреченост)', *Official Website of the Ombudsperson of the Republic of North Macedonia*, 9<sup>th</sup> June 2023, <https://bit.ly/3NJfc2o>.

169 'Coalition "We Change" Welcomes the Proposed Legislative Amendments in the Parliament, but Demands That Persons with Disabilities Be Defined in the Constitution (Коалиција „Менуваме“ ги поздравува предлог законските измени во Собранието, но бара лицата со попреченост да бидат дефинирани во Уставот)', *Opserver.Mk*, 12<sup>th</sup> June 2023, <https://opserver.mk/politika/koalicija-menuvame-gi-pozdravuva-predlog-zakonskite-izmeni-vo-sobraniemto-no-bara-licata-so-poprechenost-da-bidat-definirani-vo-ustavot/>.

170 'The "We Change" Coalition Does Not Accept the Draft National Strategy for the Rights of Persons with Disabilities (Коалицијата „Менуваме“ не ја прифаќа нацрт Националната стратегија за правата на лицата со попреченост)', *Telma TV*, 12<sup>th</sup> June 2023, <https://telma.com.mk/2023/06/12/koalicijata-menuvame-ne-ja-prifakja-nacrt-nacionalnata-strategija-za-pravata-na-licata-so-poprechenost/>.



Another draft law was published in May, focusing on the assessment system for persons with disabilities. The law covers various aspects of the assessment process, licensing, and information management.<sup>171</sup>

In addition, another<sup>172</sup> court ruling in April highlighted direct discrimination against persons with disabilities in exercising their right to vote, emphasising the need for accessible polling stations.<sup>173</sup>

In November 2022, the president and member of the CPPD resigned, and a new president and deputy president of the CPPD were elected.<sup>174</sup> In mid-February, the CPPD published a public announcement for the election of two members necessary to complete the CPPD: one member with a mandate of five years and one member with a mandate of one year, two months and eight days.<sup>175</sup> Subsequently, the Network for Protection against Discrimination called<sup>176</sup> for urgent elections to fill vacancies in the CPPD, as highlighted in the European Commission's (EC) country report.<sup>177</sup>

The CPPD received many petitions in 2022, addressing various areas such as work, media, education, and social security.<sup>178</sup>

A Memorandum of Cooperation between the CPPD and the National Bank of North Macedonia was signed to promote equality and non-discrimination.<sup>179</sup>

In June, persons with disabilities protested, demanding increased disability allowances and assistance support.<sup>180</sup>

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171 Ministry of Labor and Social Policy, 'Draft Law on the System for Assessment of Persons with Disabilities (Нацрт на Закон за системот за проценка на лица со попреченост)' (National Electronic Register of Regulations- ENER, 22<sup>nd</sup> May 2023), [https://ener.gov.mk/Default.aspx?item=pub\\_regulation&subitem=view\\_reg\\_detail&itemid=79449](https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=79449).

172 "The Government and the State Election Commission committed direct discrimination against persons with disabilities when exercising their right to vote (Владата и Државната изборна комисија сториле директна дискриминација врз лицата со попреченост при остварување на нивното право на глас)", *Official Website of the Helsinki Committee for Human Rights of the Republic of North Macedonia*, 1<sup>st</sup> September, 2022, <https://bit.ly/3hHEqSk>.

173 'The Basic Civil Court Determined That the Government and the SEC Discriminated against Persons with Disabilities (Основниот граѓански суд утврди дека Владата и ДИК ги дискриминирале лицата со попреченост)', *Official Website of the Helsinki Committee for Human Rights of the Republic of North Macedonia*, 19<sup>th</sup> April 2023, <https://mhc.org.mk/news/osnovniot-graganski-sud-utvr-di-deka-vladata-i-dik-gi-diskriminirale-licata-so-poprechenost/>.

174 'CPPD Has a New President (КЗД со нов претседател)', *Official Website of the Commission for Prevention and Protection against Discrimination*, 3<sup>rd</sup> November, 2022, <https://bit.ly/3klkxls>.

175 'Decision to Publish a Public Announcement for the Election of Members of the Commission for Prevention and Protection against Discrimination (Одлука за објавување јавен оглас за избор на членови на Комисијата за спречување и заштита од дискриминација)', *Official Gazette of the Republic of North Macedonia* No. 34/2023.

176 'The Parliament to Urgently Elect Members of the Commission for Prevention and Protection against Discrimination', *Official Website of the Network for Protection against Discrimination*, 6<sup>th</sup> April 2023, [http://mzd.mk/en/vesti/sobranie\\_izbor\\_kszd/](http://mzd.mk/en/vesti/sobranie_izbor_kszd/).

177 'CPPD in the European Commission's Progress Report (КЗД во Извештајот на Европската комисија)', *Official Website of the Commission on Prevention and Protection against Discrimination*, 18<sup>th</sup> October, 2022, <https://bit.ly/3ZEAS50>.

178 Commission for Prevention and Protection against Discrimination, 'Annual Report for the Work of the CPPD in 2022 (Годишен извештај за работата на Комисијата за спречување и заштита на дискриминација за 2022 година)', 19<sup>th</sup> May 2023, <https://bit.ly/3oPWOfM>.

179 'Signed Memorandum of Cooperation between the Commission for Prevention and Protection against Discrimination and the National Bank (Потпишан Меморандум за соработка помеѓу Комисијата за спречување и заштита од дискриминација и Народната банка)', *Official Website of the Commission for Prevention and Protection against Discrimination*, 8<sup>th</sup> May 2023, <https://bit.ly/3WW-bcj9>.

180 'Persons with Disabilities Demand an Increase in Social Rights by 78%, as the Salaries of Elected Officials Have Increased (Лицата со попреченост бараат зголемување на социјалните права за 78%, колку што пораснаа платите на функционерите)', *Telma TV*, 7<sup>th</sup> June 2023, <https://telma.com.mk/2023/06/07/licata-so-poprechenost-baraat-zgolemuvanje-na-socijalnite-prava-za-78-kolku-shto-porasnaa-platite-na-funkcionerite/>.

## Gender

In response to the lack of paid maternity leave for women in the agricultural sector<sup>181</sup>, the Government adopted a program to ensure social security for female farmers.<sup>182</sup> However, agricultural organisations and Non-governmental organisations (NGOs) demanded that the program be transformed into a legal amendment,<sup>183</sup> which Parliament acknowledged. The draft Law amending and supplementing the Law on Health Insurance was unanimously adopted in the first phase, enabling paid maternity leave for female farmers.<sup>184</sup>

The passing of the Law on Civil Registry and the Law on Gender Equality raised concerns among leaders of religious communities in North Macedonia. They expressed concern about the future of their members, particularly women and children, claiming that promoting different gender identities and fluidity between them could cause harm.<sup>185</sup> The Macedonian Orthodox Church organised a protest against these laws,<sup>186</sup> receiving support from the Islamic religious community.<sup>187</sup> Civil society had mixed reactions, with the Helsinki Committee for Human Rights (HCHR) expressing concerns for the safety of the Lesbian, gay, bisexual, trans and intersex communities (LGBTI) community during the protest.<sup>188</sup> The Platform for Gender Equality and the Network for Protection Against Discrimination condemned the protest as an attempt to pressure the withdrawal of the draft laws.<sup>189</sup> Despite these criticisms, the rally drew thousands of participants<sup>190</sup> and received support from public figures.<sup>191</sup> A bishop from the Macedonian Orthodox Church

181 'Farmer Women Produce Food for Everyone and Farm for Generations, but They Do Not Have Paid Maternity Leave (Земјоделките произведуваат храна за сите и одгледуваат генерации, а немаат платено породилно отсуство)', *Radio MOF*, 12<sup>th</sup> December, 2022, <https://www.radiomof.mk/zemjodelkite-proizveduvaat-hrana-za-site-i-odgleduvaat-generacii-a-nemaat-plateno-porodilno-otsustvo/>.

182 'Program for Social Security Support for Women Performing Agricultural Activities in 2023 (Програма за поддршка за социјална сигурност на жените кои вршат земјоделска дејност за 2023 година)', Official Gazette of the Republic of North Macedonia No. 31/2023.

183 'Female Farmers Are Looking for a Legal Solution for Maternity Leave (Жените земјоделки бараат законско решение за породилно отсуство)', *Sitel TV*, 20<sup>th</sup> February 2023, <https://sitel.com.mk/zhenite-zemjodelki-baraat-zakonsko-reshenie-za-porodilno-otsustvo>.

184 'The Parliament of RNM Voted on the Draft Law Amending and Supplementing the Law on Health Insurance, Which Enables Paid Maternity Leave for Female Farmers (Собранието на РСМ го изгласа предлог- законот за измени и дополнувања на Законот за здравствено осигурување со кој се овозможува платено породилно отсуство за земјоделки)', *Official Website of the Commission for Prevention and Protection against Discrimination*, 12<sup>th</sup> May 2023, <https://bit.ly/3MҮjwKU>.

185 'The Leaders of the Five Religious Communities Propose Withdrawal of Civil Registry and Gender Equality Draft Laws (Лидерите на петте верски заедници предлагаат повлекување на предлог-законите за матична евиденција и за родова еднаквост)', *24 Vesti*, 5<sup>th</sup> May 2023, <https://24.mk/details/liderite-na-pette-verski-zaednici-predlagaat-povlekuvanje-na-predlog-zakonite-za-matichna-evi-dencija-i-za-rodova-ednakvost>.

186 'MPC-OA Organizes a Protest against the Law on Gender Equality and the Amendments to the Law on Civil Registry (МПЦ-ОА организира протест против Законот за родовна еднаквост и измените за матична евиденција)', *Sloboden Pecat*, 23<sup>rd</sup> June 2023, <https://bit.ly/44NTgdh>.

187 'IVZ Is against the Gender Equality and Civil Registry Laws (ИВЗ е против законите за родова еднаквост и за матична евиденција)', *Opserver.Mk*, 29<sup>th</sup> June 2023, <https://opserver.mk/makedonija/ivz-e-protiv-zakonite-za-rodova-ednakvost-i-za-matichna-evi-dencija/>.

188 'Helsinki Committee Has Issued Recommendations for LGBTI People as It Is Concerned about Their Safety during Tomorrow's Protest (Хелсиншки објави препораки за ЛГБТИ-лицата бидејќи е загрижен за нивната безбедноста за време на утрешниот протест)', *360 Stepeni*, 28<sup>th</sup> June 2023, <https://360stepeni.mk/helsinshki-objavi-preporaki-za-lgbti-litsata-bidejki-e-zagrizen-za-nivnata-bezbed-nosta-za-vreme-na-utreshniot-protest/>.

189 'Platform for Gender Equality: Stop Hate and Violence Against Women (Платформа за родова еднаквост: Стоп за омразата и насилството врз жените)', *Radio MOF*, 28<sup>th</sup> June 2023, <https://www.radiomof.mk/platforma-za-rodova-ednakvost-stop-za-omrazata-i-nasilstvoto-vrz-zhenite/>.

190 'Several Thousand Citizens at a Protest Meeting in Skopje against the Laws on Gender Equality and on Civil Registry (Неколку илјади граѓани на протестен собир во Скопје против законите за родова еднаквост и за матична евиденција)', *Radio MOF*, 29 June 2023, <https://www.radiomof.mk/nekolku-iljadi-gragjani-na-protesten-sobir-vo-skopje-protiv-zakonite-za-rodova-ednakvost-i-za-matichna-evi-dencija/>.

191 'LET'S DEFEND THE CHILDREN FROM UNGODLY PROPAGANDA! The Head Mr. Stefan from the Protest against Gender Equality Laws (ДА ГИ ОДБРАНИМЕ ДЕЦАТА ОД БЕЗБОЖНИТЕ ПРОПАГАНДИ! Поглаварот г.г. Стефан од собирот против законите за родова еднаквост)', *Plusinfo.Mk*, 29 June 2023, <https://plusinfo.mk/da-gi-odbranime-decata-od-bezbozhnite-propagandi-poglavart-g-g-stefan-od-sobiro-protiv-zakonite-za-rodova-ednakvost/>.

stated that gender equality is perverted and linked to the increasing divorce rate.<sup>192</sup> This statement led to demands for the bishop's dismissal,<sup>193</sup> with feminist and human rights activists criticising it for perpetuating harmful gender stereotypes and discrimination against women.<sup>194</sup>

In April, the National Council for Gender Equality opened a counselling centre for victims of domestic violence and signed a Memorandum of Cooperation with the Ministry of Interior to enhance prevention and protection from domestic and gender-based violence.<sup>195</sup>

Regarding a court case involving a YouTube interview with racist and xenophobic content,<sup>196</sup> both accused parties denied feeling guilty. They argued that their behaviour was taken out of context during the court hearing.<sup>197</sup> Towards the end of June, the Second National Gender Equality Index Report 2022 was presented. The report serves as a roadmap and data source for promoting gender equality and equal opportunities in North Macedonia.<sup>198</sup>

## LGBTI+

North Macedonia has experienced a slight backslide in terms of LGBTI+ rights, according to the ILGA-Europe Rainbow Map and Index. The country is ranked 32<sup>nd</sup> out of 49 European countries, one place lower than the previous year. To improve the situation, ILGA-Europe recommends the adoption of a fair and transparent legal framework for gender recognition, the development of action plans that specifically address sexual orientation and gender identity, and the allocation of funds for their implementation. Additionally, the report suggests the introduction of hate speech legislation targeting crimes motivated by sexual orientation and gender identity, along with mechanisms for effective enforcement.<sup>199</sup>

The annual pride parade, organised by the National Network against Homophobia and Transphobia, took place on the 24<sup>th</sup> June with the theme 'Loud and Proud'. The parade aimed to create a supportive and celebratory environment for LGBTQ+ individuals, attracting around 1,500 to 2,000 participants, includ-

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192 'Bishop Petar with a Fierce Attack on Feminism - Gender Equality Is Perverted (ВИДЕО: Владиката Петар со жесток напад на феминизмот – родовата еднаквост била изопачена)', *Libertas*, 17<sup>th</sup> April 2023, <https://libertas.mk/video-vladikata-petar-so-zhestok-napad-na-feminizmot-rodovata-ednakvost-bila-izopachena/>.

193 'Feminists and Human Rights Fighters in a Counter-Attack - Demand the Dismissal of Bishop Petar, Who Is against Feminism (Феминистките и борците за човекови права во контраанпад – бараат разрешување и расчинување на Владиката Петар кој е противник на феминизмот)', *Telma TV*, 19<sup>th</sup> April 2023, <https://telma.com.mk/2023/04/19/feministkite-i-borcite-za-chovekovi-prava-vo-kontranapad-baraat-razreshuvanje-i-raschinuvanje-na-vladikata-petar-koj-e-protivnik-na-feminizmot/>.

194 'Platform for Gender Equality: Who Gave the Bishop the Concession for Television to "Entertain" Citizens with a Dangerous, Destructive and Poisonous Ideology against Women? (Платформа за родова еднаквост: Кој му даде на Владиката концесија за телевизија да ги „забавува“ граѓаните со опасна, погубна и отровна идеологија против жените?)', *Official Website of the Helsinki Committee for Human Rights of the Republic of North Macedonia*, 19<sup>th</sup> April 2023, <https://mhc.org.mk/news/platforma-za-rodova-ednakvost-koj-mudade-na-vladikata-koncesija-za-televizija-da-gi-zabavuva-graganite-so-opasna-pogubna-i-otrovna-ideologija-protiv-zhenite/>.

195 'A Counseling Center for Victims of Domestic Violence Was Opened and a Memorandum of Cooperation between the Ministry of Interior and the NCGE Was Signed (Отворено советувашиште за жртви на семејно насилство и потпишан Меморандум за соработка меѓу МВР и НСПП)', *Sloboden Pecat*, 13<sup>th</sup> April 2023, <https://bit.ly/3J1MKYd>.

196 'Controversial "YouTube" Interview with Latas, Reaction of MoI and PPO (Спорно „YouTube“ интервју со Латас, реакција на МВР и ОЈО)', *Alsat M*, 20 February 2023, <https://bit.ly/3JPxKNW>.

197 'Latas and Lazarov Do Not Feel Guilty (Латас и Лазаров не се чувствуваат виновни)', *Kurir*, 19<sup>th</sup> June 2023, <https://kurir.mk/makedonija-vesti/latas-i-lazarov-ne-se-chuvstvuvaat-vinovni/>.

198 'MLSP: The Gender Equality Index Brings Progress on the Issue of Gender Equality (МТСП: Индексот на Родовата Еднаквост носи напредок во однос на прашањето за родовата еднаквост)', *Kanal 5*, 29<sup>th</sup> June 2023, <https://kanal5.com.mk/mtsp-indeksot-na-rodovata-ednakvost-nosi-napredok-vo-odnos-na-prashanjeto-za-rodovata-ednakvost/a588854>.

199 'N. Macedonia Backslided One Place in Terms of LGBT+ Rights, Remaining among the Worst in the Region (С. Македонија назадуваше едно место според ЛГБТ+ правата, останува меѓу најлошите во регионот)', *Radio MOF*, 17<sup>th</sup> May 2023, <https://www.radiomof.mk/s-makedonija-nazaduvashе-edno-mesto-sporod-lgbt-pravata-ostanuva-megju-najloshite-vo-regionot/>.

ing elected officials and foreign diplomatic representatives.<sup>200</sup> The event proceeded peacefully, with increased police presence ensuring safety.<sup>201</sup> However, a small counter-protest by a group of students failed to gain traction.<sup>202</sup>

In response to social media criticism, the Mayor of Strumica declared that all memoranda signed with LGBTQ+ rights organisations would be nullified. The Mayor faced accusations of supporting the movement against gender equality and birth records laws.<sup>203</sup> The Platform for Gender Equality condemned this action, highlighting the potential polarisation and encouragement of hate speech and intolerance.<sup>204</sup>

The CPPD found that a bishop engaged in discrimination based on sexual orientation and gender identity through public appearances on television. They emphasised the bishop's responsibility to avoid promoting discrimination and hurting others' dignity with his statements. The bishop was given a 30-day deadline to respond to the CPPD's recommendations or misdemeanour proceedings may be initiated.<sup>205</sup>

## Roma

The Macedonian Young Lawyers Association (MYLA) reported the death of a young Roma man who could not obtain an identity card, resulting in a lack of access to healthcare. The man, aged twenty, passed away from untreated type 1 diabetes. The MYLA highlighted administrative obstacles, non-compliance with conventions in laws and by-laws, and general institutional negligence toward individuals without proper identification as contributing factors to the tragic outcome.<sup>206</sup>

In early June, offensive graffiti featuring swastikas and offensive inscriptions were found on houses owned by the Roma community in Bitola. The HCHR strongly condemned this act and called on authorities to investigate the incident, identify the perpetrators, and classify it as a hate crime.<sup>207</sup>

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200 'The Fourth Pride Parade Is Organized in Skopje on 24<sup>th</sup> June, under the Slogan "Loud and Proud" (На 24-ти јуни под слоганот „Гласни и горди“, се организира четвртта Парада на гордоста во Скопје)', *Alfa TV*, 4<sup>th</sup> June 2023, <https://bit.ly/45LN1HF>.

201 'Peacefully, with Police and Support from Embassies: Requests for Free Gender Self-Determination Made at the Skopje Pride Parade (Мирно, со полиција и поддршка од амбасадите: Барања за слободно родово самоопределување упатени од скопската Парада на гордоста)', *Voice of America*, 25<sup>th</sup> June 2023, <https://mk.voanews.com/a/7151637.html>.

202 'Protest against the "Pride Parade" - Low Interest, Only Four People Attended (Протест против „Парадата на гордоста“ – слаб интерес, присуствуваа само четворица луѓе)', *TV 21*, 24<sup>th</sup> June 2023, <https://mk.tv21.tv/protest-protiv-paradata-na-gordosta-slab-interes-prisustvuva-samo-chetvoritsa-luge/>.

203 'Kostadin Kostadinov Went to War with LGBT Organizations: Strumica Plastered with a "Crossed-out Rainbow" (Костадин Костадинов влезе во војна со ЛГБТ организациите: Струмица излепена со „пречекрнато виножито“)', *A1 On*, 21<sup>st</sup> June 2023, <https://bit.ly/3D7tSn4>.

204 'Platform for Gender Equality: The Function of the Mayor of the Municipality Is Not to Make Divisions in Civil Society into "Obedient" and "Disobedient" Organizations, but to Work for the Good of All Citizens (Платформа за родова еднаквост: Функцијата градоначалник на општината не е да прави поделби во граѓанското општество на „послушни“ и „непослушни“ организации, туку да работи за доброто на сите граѓани)', *Official Website of The Helsinki Committee for Human Rights of the Republic of North Macedonia*, 23<sup>rd</sup> June 2023, <https://bit.ly/3XP9WYL>.

205 'CPPD Asserted That Bishop Jakov Stobiski Discriminated and Should Apologize to the LGBTI Community (КСЗД уврди дека епископот Јаков Стобиски има извршено дискриминација и треба да ѝ се извини на ЛГБТИ заедницата)', *Sloboden Pecat*, 26<sup>th</sup> June 2023, <https://www.slobodenpecat.mk/kszd-uvrdi-deka-episkopot-jakov-stobiski-ima-izvrsheno-diskriminacija-i-treba-da-se-izvini-na-lgbti-zaednicata/>.

206 'Our fellow citizen Memet Kamber, a twenty-year-old who was denied the right to have rights, died (Почина нашиот сограѓанин Мемет Камбер, дваесетгодишник кој не доби право да има права)', *Official Website of the Macedonian Young Lawyers Association*, 30<sup>th</sup> May 2023, <https://myla.org.mk/49083/>.

207 'Swastikas on Roma Houses Is a Hate Crime (Кукастите крстови врз куќите на Ромите е злосторство од Омраза)', *Official Website of the Helsinki Committee for Human Rights of the Republic of North Macedonia*, 8<sup>th</sup> June 2023, <https://bit.ly/3Xi5yZ8>.





