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Council of Europe Group on Access to Information (AIG)

**Report submitted by the Republic of North Macedonia
pursuant to Article 14, paragraph 1 of the Council of Europe
Convention on Access to Official Documents (CETS No. 205)**

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INTRODUCTION

Each Party that after 17 November 2022 submits its report containing full information on legislative and all other measures giving effect to the provisions of the Council of Europe Access to Official Documents (CETS n°205) (hereafter “the Convention”), in accordance with its Article 14, paragraph one, is requested to use this questionnaire as a basis for preparing its report.

The report must be provided within a period of one year following the entry into force of the Convention in respect of the Party concerned.

For further guidance on the meaning of any of the questions or the requested elements, the drafters of the report are invited to consult the text of the [Convention](#) and its [Explanatory Report](#).

The Parties should submit their reports in one of the official languages of the Council of Europe, structuring them in two main parts, namely:

- (i) General information regarding the preparation of the report;
- (ii) Information on legislative and all other measures giving effect to the provisions of the Convention.

Relevant data, including statistics and results of surveys on access to official documents in practice, as well as any additional information that they may deem appropriate in this context, should be included in or appended to the report.

I - GENERAL INFORMATION

Please indicate:

- a. The existence or not of a State body/agency responsible for the preparation of the report as well as the State bodies/agencies which contributed to the report by providing relevant information;

In the Republic of North Macedonia, the only institution that deals with and is competent for the Law on Free Access to Public Information is the Agency for Protection of the Right to Free Access to Public Information.

The designated person in the Consultation of the Parties from North Macedonia is the one who prepared the report.

- b. The involvement, participation or consultation with relevant non-state stakeholders including NGOs, civil society and any other relevant stakeholder in the ratification and subsequent implementation of the Convention.

The Agency for Protection of the Right to Free Access to Public Information, as an independent regulatory body, is continuously engaged, cooperates with relevant state actors, NGOs, and other stakeholders, and consistently advances the right of free access to information in the Republic of North Macedonia.

The ratification of the Tromsø Convention in the Republic of North Macedonia was initiated at the proposal of this Agency; however, the procedure had to be conducted through the Ministry of Justice of North Macedonia as the proposer of the Law on Ratification of the Council of Europe Convention on Access to Official Documents, and was ultimately adopted by the Assembly of the Republic of North Macedonia.

Following ratification, steps were taken to implement the Convention, and a working group was established to prepare amendments and supplements to the existing Law on Free Access to Public Information in order to ensure alignment with the Convention. The working group was led by the Ministry of Justice of the Republic of North Macedonia and included representatives of the Agency, NGOs, and a representative of the Minister for Good Governance.

In September 2025, the Ministry of Justice submitted the draft law to the Government of the Republic of North Macedonia for adoption, after which it was to proceed to the Assembly of the Republic of North Macedonia. However, at the time of drafting this report, the proposed law has not yet been adopted. Consequently, the Law on Free Access to Public Information of 2019 remains in force in the Republic of North Macedonia, and it largely incorporates the provisions of the Tromsø Convention.

II - LEGISLATIVE AND OTHER MEASURES GIVING EFFECT TO THE PROVISIONS OF THE CONVENTION

Please provide information on legislative and all other measures adopted to ensure the implementation of the Convention, highlighting wherever deemed appropriate good practices in promoting the overall aim of the Convention or its specific provisions and indicating the efforts made to promote awareness of the Convention among the public and relevant authorities.

Wherever pertinent, please share information on any issues faced in the implementation of the Convention, including those on which your authorities could consider seeking advice and support from the AIG.

The presentation of the second part of the report should follow the order of the provisions of Section I of the Convention which appear below in italics.

Article 1 – General Provisions

1. *The principles set out hereafter should be understood without prejudice to those domestic laws and regulations and to international treaties which recognise a wider right of access to official documents.*
2. *For the purposes of this Convention:*
 - a. *(i) "public authorities" means:*
 1. *government and administration at national, regional and local level;*
 2. *legislative bodies and judicial authorities insofar as they perform administrative functions according to national law;*
 3. *natural or legal persons insofar as they exercise administrative authority.*
 - (ii) Each Party may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, by a declaration addressed to the Secretary General of the Council of Europe, declare that the definition of "public authorities" also includes one or more of the following:*
 1. *legislative bodies as regards their other activities;*
 2. *judicial authorities as regards their other activities;*
 3. *natural or legal persons insofar as they perform public functions or operate with public funds, according to national law.*
- b. *"official documents" means all information recorded in any form, drawn up or received and held by public authorities.*

Please provide information on the following:

- 1.1 The **definition of "public authorities"** as adopted in national legal and/or policy frameworks relating to access to official documents, including specifications and/or examples of authorities covered by this definition.¹

"Holders of information" shall mean state authorities and other bodies and organizations established by law, the bodies of the municipalities, the City of Skopje and the municipalities within the City of Skopje, institutions and public services, public enterprises, legal and natural persons exercising public powers established by law and performing activities of public interest, as well as political parties with regard to their revenues and expenditures. (Article 3 of the Law on Free Access to Public Information)

1. State Authorities
 - Assembly of the Republic of North Macedonia
 - Government of the Republic of North Macedonia
 - Ministry of Environment and Physical Planning
2. Municipalities and Centers for Development of Planning Regions
 - City of Skopje
 - Municipality of Bitola
 - Southwest Planning Region
3. Public Institutions and Public Enterprises
 - House of Culture "Kocho Racin" – Skopje
 - National Institution University Library "St. Kliment of Ohrid" – Skopje
 - Public Enterprise Water Supply and Sewerage – Skopje
 - Public Enterprise Communal Hygiene – Skopje
4. Legal and Natural Persons Exercising Public Powers or Performing Activities of Public Interest
 - Chamber of Notaries of the Republic of North Macedonia
 - Chamber of Enforcement Agents of the Republic of North Macedonia
 - AD ESM

- Football Federation of North Macedonia

5. Educational Institutions

- Ss. Cyril and Methodius University in Skopje
- JOUDG "13 Noemvri" – Skopje
- SOU "Josif Josifovski" – Gevgelija
- OOU "Dimitar Miladinov" – Skopje

6. Health Institutions

- University Clinic for Cardiology
- General Hospital Ohrid
- Health Center Skopje

1.2 The **definition of “official documents”** as adopted in relevant national legal and/or policy frameworks, including specific information as to whether this definition covers information stored electronically or in databases.

A “document” shall mean any record of information, regardless of its physical form or characteristics, including written or printed text, maps, charts, photographs, images, drawings, sketches, working materials, as well as audio, voice, magnetic or electronic, optical or video recordings in any form, and portable equipment for automatic data processing with built-in or removable storage media for storing data in digital form.(Article 3 of the Law on Free Access to Public Information)

1.3 Do official documents transferred to archives remain within the scope of national legal and/or policy frameworks relating to access to official documents.

Yes, official documents transferred to archives remain within the national legal and policy framework governing access to official documents in the Republic of North Macedonia, but are subject to specific rules on protection and classification.

The Law on Free Access to Public Information (LFAPI) provides the right of access to all information and documents created or received by public authorities, including those transferred to archives.

The Law on Archival Material governs the transfer, preservation, and use of documents in archives.

¹ Please provide specifications and/or examples of activities performed by legislative bodies, judicial authorities and natural or legal persons which may be included in the definition of public authorities on the basis of a declaration made by the Party pursuant to Article 1, paragraph (2)(a)(ii)(1), Article 1 paragraph (2)(a)(ii) (2) or Article 1, paragraph (2)(a)(ii)(3).

Article 2 – Right of access to official documents

1. *Each Party shall guarantee the right of everyone, without discrimination on any ground, to have access, on request, to official documents held by public authorities.*
2. *Each Party shall take the necessary measures in its domestic law to give effect to the provisions for access to official documents set out in this Convention.*
3. *These measures shall be taken at the latest at the time of entry into force of this Convention in respect of that Party.*

Please provide information on the following:

- 2.1 The **legal and/or policy framework** guaranteeing the right of access to official documents, including specific information on relevant domestic laws, regulations and policies recognising the right of access to official documents.

In the Republic of North Macedonia, the right of access to official documents is guaranteed through a legal framework focused on transparency and free access to information of public character.

The Law on Free Access to Public Information (LFAPI) regulates the right of citizens and other persons to access information and documents held by public authorities. It also governs the conditions, manner, and procedure for exercising the right of free access to information of public character held by state authorities and other bodies and organizations established by this Law. (Article 1 of the Law on Free Access to Public Information)

- 2.2 Specifications as to whether the right of access to official documents is guaranteed to **everyone**, including non-nationals of the Party.

This law ensures transparency and openness in the operations of information holders and enables natural and legal persons to exercise the right of free access to information of public character. (Article 2 of the Law on Free Access to Public Information)

Free access to information is granted to all legal and natural persons.

Foreign legal and natural persons also have the right to free access to information in accordance with this and other applicable laws. (Article 4 of the Law on Free Access to Public Information)

- 2.3 Whether the Party guarantees the right of access to official documents **irrespective of the use** of the information received by those requesting access.

Yes, in the North Macedonia everyone has the right to access official documents, regardless of the purpose for which the information will be used.

By law, institutions are obliged to provide documents to anyone who requests them, with limitations applying only in specific cases, namely the exceptions prescribed by the Law (Article 6 of the Law on Free Access to Public Information).

In other words, it does not matter whether the documents will be used for work, research, or personal purposes — the right of access applies equally to all.

Article 3 – Possible limitations to access to official documents

1. Each Party may limit the right of access to official documents. Limitations shall be set down precisely in law, be necessary in a democratic society and be proportionate to the aim of protecting:

- a. national security, defense and international relations;
- b. public safety;
- c. the prevention, investigation and prosecution of criminal activities;
- d. disciplinary investigations;
- e. inspection, control and supervision by public authorities;
- f. privacy and other legitimate private interests;
- g. commercial and other economic interests;
- h. the economic, monetary and exchange rate policies of the State;
- i. the equality of parties in court proceedings and the effective administration of justice;
- j. environment; or
- k. the deliberations within or between public authorities concerning the examination of a matter.

Concerned States may, at the time of signature or when depositing their instrument of ratification, acceptance, approval or accession, by a declaration addressed to the Secretary General of the Council of Europe, declare that communication with the reigning Family and its Household or the Head of State shall also be included among the possible limitations.

2. Access to information contained in an official document may be refused if its disclosure would or would be likely to harm any of the interests mentioned in paragraph 1, unless there is an overriding public interest in disclosure.

3. The Parties shall consider setting time limits beyond which the limitations mentioned in paragraph 1 would no longer apply.

Please provide information on the following:

3.1 Whether the Party has introduced **limitations** to the right of access to official documents, including specific information on such limitations, how they are precisely set down in law.

Yes, the Republic of North Macedonia has introduced the possibility of restricting the right of access to official documents; however, such restrictions are strictly defined and regulated by law.

Holders of information may refuse a request for access to:

- information which, pursuant to law, constitutes classified information with an appropriate level of classification;
- personal data, the disclosure of which would constitute a violation of personal data protection;
- information the disclosure of which would breach the confidentiality of tax proceedings;
- information acquired or compiled for the purposes of an investigation or criminal or misdemeanor proceedings, or for the conduct of administrative or civil proceedings, where its disclosure would have harmful consequences for the course of the proceedings;
- information that endangers industrial or intellectual property rights (patent, model, sample, trademark and service mark, designation of origin of a product).
- (Article 6 of the Law on Free Access to Public Information)

3.2. Whether the relevant legal and/or policy frameworks provide for limitations of the right of access to official documents which pursue aims not listed in Article 3(1), and if so, specifying which ones.

No, in the Republic of North Macedonia the legal and political system does not provide for restrictions on the right of access to official documents for purposes not specified in Article 3, paragraph 1 of the Law on Free Access to Public Information (LFAPI).

The LFAPI limits exceptions only to the legally defined purposes, such as the protection of national security, public safety, privacy, business interests, economic policies, the administration of justice, inspection and control activities, and the protection of the environment.

There are no regulations allowing the denial of access for purposes not listed in Article 3, paragraph 1, which means that all other requests for information must be fulfilled without restrictions based on the purpose or motive of the requester.

3.2 Specification as to why the limitations to the right of access to official documents are **necessary** and as to their **proportionality** to the aims listed in Article 3, paragraph 1.

Restrictions on the right of access to official documents are necessary to protect legally established interests that are critical for the functioning of the state, public order, and the rights of individuals. They are proportionate to their objectives, as they relate to the following categories of information:

- **Classified information** – information which, according to law, is considered classified and has a designated level of classification; restricting access is necessary to protect national security, defense, and international relations.
- **Personal data** – disclosure of such information would constitute a violation of privacy and personal data protection, justifying the limitation of access.
- **Information related to the confidentiality of tax procedures** – disclosure would compromise the confidential nature of tax and financial data, thereby threatening the efficiency and legality of the procedures.
- **Information related to investigations and proceedings** – information acquired or compiled for investigations, criminal, misdemeanor, administrative, or civil proceedings, where disclosure would have harmful consequences for the course of the proceedings. Restrictions here are necessary to ensure impartiality and proper conduct of these cases.
- **Information affecting industrial or intellectual property rights** – patents, models, samples, trademarks and service marks, designations of origin of products; restrictions protect the rights of holders of intellectual and industrial property.

(Article 6 of the Law on Free Access to Public Information)

3.3 Whether the Party's legal and/or policy framework contains provisions which only permit **refusal** of access to official documents in compliance with Article 3, paragraph 2.

Yes, the legal and political framework of the Republic of North Macedonia contains provisions that allow the denial of access to official documents, but only in strictly legally defined cases.

Denial of access is permitted only when disclosure of the document would harm legally protected interests. The denial must be precisely justified, and the institution is obliged to assess whether overriding public interests exist that would outweigh these restrictions.

In other words, the legal framework allows access to be denied only when there are legitimate and legally established reasons, aimed at protecting the critical interests of the state and individuals.

3.4 How the Party ensures that an **evaluation takes place of any overriding public interest** in the disclosure of information contained in an official document that would harm or would be likely to harm any of the interests listed in Article 3, paragraph 1.

As an exception, information holders shall grant access to information after a mandatory harm test has been conducted, which determines that the consequences of disclosing such information on the protected interest are less significant than the public interest established by law that would be served by its disclosure. (Article 20 of the Law on Free Access to Public Information)

In the Republic of North Macedonia, the evaluation of overriding public interest is conducted under the LFAPI as follows:

- The public authority assesses whether the document contains information that could harm legally protected interests.
- It is examined whether the public interest (transparency, accountability, protection of public resources) outweighs the need for restriction.
- If the public interest prevails, the authority provides access fully or partially, while safeguarding sensitive parts.
- The decision is issued in writing, with an explanation of the assessment of the public interest.

Article 4 – Requests for access to official documents

1. *An applicant for an official document shall not be obliged to give reasons for having access to the official document.*
2. *Parties may give applicants the right to remain anonymous except when disclosure of identity is essential in order to process the request.*
3. *Formalities for requests shall not exceed what is essential in order to process the request.*

Please provide information on the following:

4.1 Whether the Party's legal and/or policy framework on access to official documents guarantees that the applicant shall not be obliged to **give reasons** for having access to official documents.

A request must include the name of the information holder, the full name of the requester, and details of any representative or authorized person, as well as the company or legal entity, if applicable.

In the request, the requester is required to specify the information they wish to access and the manner in which they want to review the content of the requested information (inspection, transcript, photocopy, electronic record).

The requester is not obliged to justify the request, but it is necessary to indicate that it is a request for access to information.

If, based on the subject of the request, it is determined that it concerns a request for access to information under this law, the information holder is obliged to consider the request in accordance with the provisions of this law. (Article 16 of the Law on Free Access to Public Information)

4.2 Whether **anonymous** requests for access to official documents are authorised and if so, how the public authorities implement this in practice and how are the applicants informed about this possibility.

In the Republic of North Macedonia, anonymous requests are not allowed because the Law requires that a request must include the full name or the name of the legal entity, an address or other contact information for delivering the response.

If a request is anonymous (without any information about the requester), it cannot be formally processed, as the authority would have no recipient to deliver the response to. Likewise, in the appeal procedure before the Agency for Protection of the Right to Free Access to Public Information

4.3 Measures taken to assess the necessity of the **formalities** applicable to requests for access to official documents or to periodically review such formalities.

In the Republic of North Macedonia, the evaluation and periodic review of the formalities for submitting requests for access to information are conducted through a combination of legally prescribed mechanisms and practical activities by the institutions. Here is how it works specifically:

Evaluation Measures

The Agency for Protection of the Right to Free Access to Public Information is a key institution. It:

- monitors and records all complaints submitted by citizens regarding denial or delay of access to information;
- provides guidance and opinions to public authorities to simplify procedures;
- publishes annual reports containing an analysis of problems in the application of the Law, including whether the formalities are appropriate or excessive.

Periodic Review

The Law does not prescribe a strict deadline for a “review” of formalities, but it occurs through:

- annual reports by the Agency, which are submitted to the Assembly and made public;
- guidelines and recommendations to public authorities for improving the process.

Article 5 – Processing of requests for access to official documents

1. *The public authority shall help the applicant, as far as reasonably possible, to identify the requested official document.*
2. *A request for access to an official document shall be dealt with by any public authority holding the document. If the public authority does not hold the requested official document or if it is not authorised to process that request, it shall, wherever possible, refer the application or the applicant to the competent public authority.*
3. *Requests for access to official documents shall be dealt with on an equal basis.*
4. *A request for access to an official document shall be dealt with promptly. The decision shall be reached, communicated and executed as soon as possible or within a reasonable time limit which has been specified beforehand.*
5. *A request for access to an official document may be refused:*
 - (i) if, despite the assistance from the public authority, the request remains too vague to allow the official document to be identified;*
 - Or*
 - (ii) if the request is manifestly unreasonable.*
6. *A public authority refusing access to an official document wholly or in part shall give the reasons for the refusal. The applicant has the right to receive on request a written justification from this public authority for the refusal.*

Please provide information on the following:

5.1 Which public authority is competent to decide on a request for access to an official document? Which other authorities are consulted? How is a request for access to an official document processed when received by the public authority which does not hold the requested official document or is not authorised to process the request? Which public authority deals with such request?

The request for access to information is submitted by the requester to the holder of the information. (Article 15 of the Law on Free Access to Public Information)

The procedure for handling the request for access to information by the holder of the information is carried out by the official. (Article 19 of the Law on Free Access to Public Information)

If the holder of the information who received the request does not immediately possess the requested information, they are obliged, no later than three days from the day of receipt of the request, to forward the request to the holder of the information who, according to the content of the request, is the rightful holder of the information, and to notify the requester of this. (Article 18 of the Law on Free Access to Public Information)

5.2 Measures taken by public authorities to **process requests** for access to official documents and to **provide assistance** to a person requesting such access.

The responsible persons at the holders of information, in order to ensure free access to information, are obliged to provide the requesters with premises to review the requested information, and the officials designated for mediating information are obliged to provide assistance to them in requesting the information, in accordance with this and other laws. (Article 11 of the Law on Free Access to Public Information)

If the request is incomplete and, for that reason, the holder of the information cannot act on it, they shall ask the requester to complete the request, indicating the consequences if it is not done. The requester is obliged to complete the request within three days from the day of notification about the need to supplement the request, i.e., within three days from the day of receipt of the notification about the need to supplement the request.

The official designated for mediating information is obliged to provide the requester with

appropriate assistance in completing the request. (Article 17 of the Law on Free Access to Public Information)

5.3 Measures taken by public authorities to ensure that requests for access to official documents are dealt with on an equal basis and that **no distinction** is made on the basis of the nature of the request or the status of the requestor.

According to the Law on Free Access to Public Information (LFAPI), every person has the right to access information, regardless of their nationality, gender, age, profession, or other status. The public authority must not discriminate against or favor certain requesters. All requests must be processed according to the same criteria, deadlines, and procedures. Equal treatment of requests is ensured through: the legal framework (LFAPI), standardized formalities and procedures, uniform deadlines, and written justification for all requests.

1. Standards for Processing
 - Holders of information use standardized forms for submitting requests.
 - Officials are trained to process all requests in the same way, regardless of who submits them.
2. Electronic Submission and Record-Keeping
 - Requests can be submitted via email or the Agency's web platform, ensuring equal accessibility for all requesters.
 - All requests are recorded, and their status is tracked, allowing for monitoring and accountability.
3. Oversight
 - The Agency for the Protection of the Right to Free Access to Public Information monitors the implementation of the law and ensures that all requests are processed equally.
 - Complaints from requesters are reviewed impartially, and the Agency's recommendations are binding for public authorities.
4. Clear Deadlines and Procedures
 - All requests are processed within established deadlines, regardless of the requester.
 - Decisions to approve or deny a request are provided with written justification, uniformly for all.

5.4 Whether a maximum **time limit** is set by law, any other applicable policy framework or through practice for public authorities to reach a decision on a request for access to official documents, notify the applicant about the decision, make the document available if the decision is favourable, and inform the applicant about any possible delays.

The holder of the information is obliged to respond to the requester immediately, and no later than 20 days from the day of receipt of the request.

The holder of the information shall provide the information in the requested form, unless the requested information already exists in a prescribed form and is publicly available, or if it is more favorable for the requester to receive the information in a different form than requested, in which case the holder of the information must explain the reason for providing it in that manner. (Article 21 of the Law on Free Access to Public Information)

The holder of the information is obliged to inform the requester if, regarding the request for access to information, a positive response has already been given to the same or a similar

request from the same person within three months prior to the day of receipt of the request. (Article 23 of the Law on Free Access to Public Information)

If the holder of the information responds positively to the request, they must immediately enable the requester to access the content of the requested information, either through inspection, copy, photocopy, or electronic record.

If the requester requests to inspect the information, the holder of the information is obliged to provide access in such a way that the requester has sufficient time to review its content.

If, as a result of the received information, a request arises for additional information related to the documents held by the holder of the information, the requester shall submit a new request in accordance with Articles 15 and 16 of this law, together with the response already received.

If the requester considers that the information they reviewed is not the information specified in their request, they may ask the holder of the information to provide access to the information they originally requested, no later than ten days after receipt of the repeated request by the holder of the information.

If the holder of the information does not respond to the repeated request from the requester within the deadline set in paragraph (4) of this Article, the requester may submit a complaint to the Agency within 15 days. (Article 24 of the Law on Free Access to Public Information)

5.5 Whether the competent public authority gives **reasons in cases of refusal** of access to official documents, wholly or in part, on its own initiative and whether it provides justification in writing to the applicant upon his/her request for explanations about the refusal.

Yes, the holder of the information provides a justification for refusing access by issuing a decision that fully or partially denies the request, if it is determined that the requested information is information under Article 6, paragraph (1) of this law, taking into account the results of the conducted harm test. (Article 26 of the Law on Free Access to Public Information)

Article 6 – Forms of access to official documents

1. *When access to an official document is granted, the applicant has the right to choose whether to inspect the original or a copy, or to receive a copy of it in any available form or format of his or her choice unless the preference expressed is unreasonable.*
2. *If a limitation applies to some of the information in an official document, the public authority should nevertheless grant access to the remainder of the information it contains. Any omissions should be clearly indicated. However, if the partial version of the document is misleading or meaningless, or if it poses a manifestly unreasonable burden for the authority to release the remainder of the document, such access may be refused.*
3. *The public authority may give access to an official document by referring the applicant to easily accessible alternative sources.*

Please provide information on the following:

- 6.1 The form or **format** in which official documents are made available to the applicant once access to these documents is granted, and on whether the applicant has the possibility to choose the form of the document he/she wishes to consult;

The holder of the information shall provide the information in the requested form, unless the requested information already exists in a prescribed form and is publicly available, or if it is more favorable for the requester to receive the information in a form different from the requested one, in which case the holder of the information must explain the reason for providing it in that manner. The requester has the right to choose the form, unless the chosen form is legally restricted. (Article 21 of the Law on Free Access to Public Information)

- 6.2 How the public authority deals with requests to access official documents for which some of the information cannot be disclosed due to applicable limitations; whether the rest of the document is released; and whether the relevant decision of the public authority gives clear indications as to where and how much information is **deleted** and indicates the limitation justifying each deletion.

In cases where the holder of the information needs to provide partial access to the information in accordance with Article 6, paragraph (4) of this law, or if due to the volume of the requested information more time than the deadline established in Article 21 of this law is required, the deadline may be extended up to a maximum of 30 days from the day of receipt of the request.

The holder of the information is obliged to notify the requester electronically about the extension of the deadline referred to in paragraph (1) of this Article immediately, and no later than seven days from the day of receipt of the request.

If the holder of the information does not act within the deadline referred to in paragraph (1) of this Article, the requester may submit a complaint to the Agency. (Article 22 of the Law on Free Access to Public Information)

Partial Access

- If certain parts of an official document are protected by law (for example, contain personal data, trade secrets, or state secrets), the public authority must provide access to the remaining parts of the document.
- This means that the requester may receive a partial copy or inspection, where the protected information is redacted.

Indication of Redacted Parts and Restrictions

- All redactions or deletions must be clearly marked in the document.
- The public authority is obliged to indicate the reason for the redaction, specifying which article or legal restriction the refusal of access to a specific part of the information is based on.

Article 7 – Charges for access to official documents

1. *Inspection of official documents on the premises of a public authority shall be free of charge. This does not prevent Parties from laying down charges for services in this respect provided by archives and museums.*
2. *A fee may be charged to the applicant for a copy of the official document, which should be reasonable and not exceed the actual costs of reproduction and delivery of the document. Tariffs of charges shall be published.*

Please provide information on the following:

7.1. Whether inspection of official documents on the premises of the public authority is ensured **free of charge**.

Inspection of the requested information is free of charge. (Article 28 of the Law on Free Access to Public Information)

7.2 Whether the applicant can obtain a copy of the requested official documents free of charge. In the case that **fees** are charged, information on how they are calculated, whether tariffs are published and if so, how and where.

The requester of information shall pay a fee covering the material costs for receiving a copy, photocopy, or electronic record of the information.

The Government of the Republic of North Macedonia, upon the proposal of the Ministry of Finance, determines the amount of the fee for the material costs for the information provided by the holders of information.

The holder of the information shall publish the amount of the fee referred to in paragraph (3) of this Article in an appropriate manner (e.g., in the official bulletin of the holder of the information, on the website, notice board, or similar) and make it available for inspection to every requester before submitting the request.

If the request concerns information of larger volume, the holder of the information may require the requester to pay in advance to cover the costs of providing the information. (Article 28 of the Law on Free Access to Public Information)

7.3 Whether fees are charged for access to official documents in **archives**.

Inspection of archival documents is free of charge. Copying of requested information is subject to a fee covering material costs, which is determined by the Government of the Republic of North Macedonia and is the same for all requested information.

Article 8 – Review procedure

1. *An applicant whose request for an official document has been denied, expressly or impliedly, whether in part or in full, shall have access to a review procedure before a court or another independent and impartial body established by law.*
2. *An applicant shall always have access to an expeditious and inexpensive review procedure, involving either reconsideration by a public authority or review in accordance with paragraph 1.*

Please provide information on the following:

8.1 Whether the relevant legal and/or the policy framework provides for a **review procedure**, before a court or another independent and impartial body established by law, which is accessible by the person whose request for having access to official documents has been denied.

Yes, the relevant legal framework in North Macedonia provides for a review procedure. According to the Law on Free Access to Public Information, if a request for access to information is denied by the competent authority, the person has the right to file a complaint against the decision by which the holder of the information rejected or dismissed the request. The requester has the right to submit the complaint within 15 days from the receipt of the decision to the independent Agency for the Protection of the Right to Free Access to Public Information.

If the person is not satisfied with the decision issued by the Agency, they have the right to file a lawsuit before the Administrative Court of the Republic of North Macedonia – the court is an independent and impartial body established by law. The procedure is accessible to any citizen or legal entity whose access has been denied, and the Court may order the provision of the information or confirm the decision to deny it.

In other words, North Macedonian law guarantees legal protection through the independent Agency, and subsequently before the Administrative Court, for persons whose access to public information has been denied.

8.2 The **type of decisions** made by the court or the independent body, notably whether the latter is able to overturn decisions taken by public authorities which it considers to not comply with the applicable law/s, or to request the public authority in question to reconsider its position.

The Agency shall decide on the requester's complaint within 15 days from the day of receipt of the complaint. If the Agency does not issue a decision on the requester's complaint against the first-instance decision within the period referred to in paragraph (2) of this Article, and also fails to issue it within seven days after a repeated request, the requester may initiate an administrative dispute.

The holder of the information is obliged to implement the Agency's decision within 15 days from the day of its receipt and to notify the Agency thereof. (Article 27 of the Law on Free Access to Public Information)

The Agency has the right to issue a decision contrary to the decision made by the institution to which the request for free access was submitted. Subsequently, the Administrative Court also has the right to issue a decision different from that of the Agency or the institution, or to confirm it.

8.3 The **duration** in practice of the review procedure involving either reconsideration by a public authority or by the court or the independent body and whether fees are charged for it.

The procedure for handling a complaint depends on how many complaints are submitted for a single case. If the requester is not satisfied with the decision on the first complaint, they have the right to submit a second complaint. In such a case, the complaint procedure may take approximately up to 45 days, and it is free of charge.

If the requester is still not satisfied with the decision of the Agency, they have the right to file a lawsuit with the Administrative Court of the Republic of North Macedonia. The court procedure is

not free of charge; the appropriate fees for filing a lawsuit must be paid.

Article 9 – Complementary measures

The Parties shall inform the public about its right of access to official documents and how that right may be exercised. They shall also take appropriate measures to:

- a. educate public authorities in their duties and obligations with respect to the implementation of this right;*
- b. provide information on the matters or activities for which they are responsible;*
- c. manage their documents efficiently so that they are easily accessible; and*
- d. apply clear and established rules for the preservation and destruction of their documents.*

Please provide information on the following:

9.1 Measures taken by public authorities to **inform** and raise awareness of the public about its right of access to official documents and how this right can be exercised.

Institutions publish their contact information, instructions for submitting requests, and information about available documents.

Proactive Publication of Information

- Information of general interest (annual reports, budgets, public procurements) is published without requiring a special request from citizens.

Public Communication and Media Accessibility

- Information is provided through media, conferences, social networks, or other channels accessible to the public.
- Brochures, regulations, guides, or instructions for citizens prepared by the Agency for the Protection of the Right to Free Access to Public Information.

9.2 **Training** (pre-service and during service) and any other measures taken to ensure that public authorities are aware of and knowledgeable about their duties and obligations concerning the implementation of the right of access to official documents.

Regular training sessions are organized by the Agency for Free Access to Public Information, or additionally in cooperation with state, international, or non-governmental organizations, for officials responsible for free access within institutions or for information requesters. These trainings raise officials' awareness of their obligations under the Law, ensure equal and effective access for citizens to information, and reduce errors and delays in handling requests. They also enable the correct and uniform application of the Law on Free Access, simplify the process of accessing information, and increase transparency and informed public participation.

The trainings usually cover the following topics:

1. Legal Foundations
 - Overview of the Law on Free Access to Public Information and other relevant regulations.
 - Principles of transparency and public access.

2. Processing Requests

- How requests are received and recorded.
- Definition of deadlines and processing procedures.
- How equal treatment and partial access are ensured.

3. Practical Examples

- Resolving common issues (unclear requests, partial access, restrictions, harm test).

4. Electronic Access and Documents

- How to use electronic platforms for requesters and holders of information.

5. Informing the Public

- Publishing information on websites.
- Proactive transparency.

9.3 Measures taken by public authorities to set up effective systems for the **management and storage** of official documents that they hold, including information on how such measures facilitate access to official documents.

Public institutions in the Republic of North Macedonia take various measures to establish effective systems for the management and storage of public information, with the aim of facilitating access to it. The most important measures are:

1. **Electronic registers and databases**

- Many institutions use electronic systems for storing and recording information, which accelerates the process of searching for and providing information upon request.

2. **Standards for classification and archiving**

- Information is categorized according to type, importance, and retention period, which facilitates organized storage and accessibility.

3. **Document management policies**

- Instructions and procedures have been introduced for storing, updating, and destroying documents in accordance with legal deadlines, ensuring their accessibility and legitimacy.

4. **Digitization of documents**

- Many institutions use digitization to facilitate access to public information and to reduce physical storage.

5. **Systems for electronic submission of requests**

- The **Agency for the Protection of the Right to Free Access to Public Information** has enabled the submission of online information requests through an electronic portal, which simplifies access and reduces processing time.

6. **Control and monitoring of the systems**

- Internal audits and monitoring mechanisms ensure that information is properly managed and available when requested.

9.4 Rules applied for the preservation and destruction of documents by public authorities.

Storage of Official Documents by Public Authorities

The storage of official documents by public authorities is carried out according to legally established criteria prescribed by three laws: the Law on Archival Material, the Law on General Administrative Procedure, and the regulations on office and archival work, as well as according to their value, retention period, and format. Documents may be stored in paper or electronic form, with mandatory measures to ensure their protection, authenticity, and long-term accessibility.

Storage Format

- Paper Format: Documents are stored in the registry offices or archives of the authority. After the expiration of the retention period, archival material is transferred to the State Archive of the Republic of North Macedonia.
- Electronic Format: Documents are stored in electronic document management systems (DMS) and must ensure authenticity, integrity, protection against unauthorized access, and backup copies. Electronic documents may be stored in formats that ensure long-term readability.

Storage Location

- In rooms meeting prescribed archival conditions (for paper documents)
- On secure servers or information systems (for electronic documents)
- Archival material of permanent value is transferred to the State Archive of the Republic of North Macedonia

The storage of official documents by public authorities is carried out according to legally established criteria prescribed by the same three laws: the Law on Archival Material, the Law on General Administrative Procedure, and the regulations on office and archival work. Accordingly, documents are classified as:

- Archival Material (of permanent value – kept permanently)
- Documentary Material (with a limited retention period)

Retention Periods

Each authority has a list of archival codes and retention periods approved by the State Archive. Retention periods may include:

- 1, 3, 5, 10 years
- 20 years
- Permanent retention

Article 10 – Documents made public at the initiative of the public authorities

At its own initiative and where appropriate, a public authority shall take the necessary measures to make public official documents which it holds in the interest of promoting the transparency and efficiency of public administration and to encourage informed participation by the public in matters of general interest.

Please provide information on the following:

- 10.1 Measures taken to encourage transparency by public authorities through the publication of official documents that they hold, notably information on the criteria used by public authorities to determine which documents they should publish **proactively**.

In the Republic of North Macedonia, measures for proactive transparency and the criteria for publication are regulated through the Law on Free Access to Public Information (LFAPI) and are part of the practice of public authorities to regularly publish information without a prior request from citizens.

Holders of information are obliged to regularly maintain and update the list of information they possess and to publish it in a manner accessible to the public (website, notice board, or other means). (Article 9 of LFAPI)

The holder of information is required to inform the public through its website by publishing 22 categories of documents. (Article 10 of LFAPI)

The criteria for publication are based on public interest, legal obligations, and the accuracy and relevance of the information. However, when publishing, limitations for the protection of sensitive information, such as personal data, confidential commercial information, or state secrets, must be taken into account. In this way, a balance is achieved between the transparency of public administration and the protection of information that must not become public.

- 10.2 How these official documents are **made public**, in which format and whether any measures are taken to facilitate the public's understanding of these documents.

In the Republic of North Macedonia, proactive publication of information is carried out through various channels and formats in order to ensure easy access and better understanding by the public. Information is published on the websites of public authorities, through publications, brochures, reports, and media channels, as well as via social networks. Electronic formats (PDF, HTML, databases) allow for easy searching, copying, and distribution, while physical publications and guides help inform citizens who do not have internet access.

According to the Law, institutions are obliged to publish information of public interest in a manner that is easily accessible and understandable to citizens, using various formats such as websites, publications, brochures, reports, and media channels. Ideally, information should be published in an open format so that citizens can process it for their own purposes.

In North Macedonia, there is also a Law on the Use of Public Sector Data, which falls under the competence of the Ministry of Digital Transformation. According to this law, institutions prepare their data in machine-readable formats and publish them on their websites or on the open data portal