



Reference data 2020 (01/01/2020 - 31/12/2020)

Start/end date of the data collection campaign : 19/03/2021 - 01/10/2021

Objective :

The CEPEJ decided, at its 35th plenary meeting, to launch the ninth evaluation cycle 2020 – 2022, focused on 2020 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1. General and financial information

1.1. Demographic and economic data

1.1.1. Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[2 076 255]

Comments

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002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	1 807 163 695 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments This is total annual amount of public expenditure includes all expenses made by the governmental bodies.

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003. Per capita GDP (in €) in current prices for the reference year

[5 187]

Comments

004. Average gross annual salary (in €) for the reference year

[8 214]

NA

Comments

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[61.69]

Allow decimals : 5

NAP

Comments

A1. Please indicate the sources for answering the questions in this part

Sources:

1.1.2 Budgetary data concerning judicial system

006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	31 152 812 [] NA [] NAP	30 944 886 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	24 212 471 [] NA [] NAP	24 212 170 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	729 389 [] NA [] NAP	683 685 [] NA [] NAP
2.1 Investments in computerisation	[X] NA [] NAP	[X] NA [] NAP
2.2 Maintenance of the IT equipment of courts	[X] NA [] NAP	[X] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	395 372 [] NA [] NAP	395 372 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	1 088 183 [] NA [] NAP	1 088 183 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	379 316 [] NA [] NAP	351 758 [] NA [] NAP
6. Annual public budget allocated to training	[] NA [X] NAP	[] NA [X] NAP
7. Other (please specify)	4 348 081 [] NA [] NAP	4 213 718 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: In other are included: costs for mailing services, office materials, travel costs, costs for renting of apartments, new cars etc. The court budget includes only the budgets of all courts.

The decreasing of the court budget in 2020 in total is due to the fact that with the rebalance of the budget in 2019, about 2 million euros were provided for non paid allowances on the judges from the previous years. This allowances were paid in 2019.

Regarding the line 3 which refers to the justice expenses, the significant reduction of the total amount is due to the fact that according to the Law on Criminal Procedure, costs for court expertise are no longer paid by the court budget. Now they are paying by the PPO Budget. From the court budget now are only paying court expertise for old cases which are long time in the system, before the new Law on criminal procedure start with implementation. In 2020, the number of this type of old cases for which the expertise was paid by the courts was significantly lower compared to previous years.

Regarding the line 5 (New court buildings), in 2019 money were provided for the renovation of the building of the Administrative Court. However, the renovation of the building was not realized, due to administrative-technical problems. In the 2020 budget, money for this purpose were not provided.

Line for training is not included here, but in the questions about the Academy for judges and public prosecutors.

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:

	Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions? xceptions to the obligation to pay these court fees are regulated in Chapter II from the Law on Court taxes. Article 10

(1) Exempted from paying the fee are: the Republic of Macedonia, the state bodies,

the Red Cross, as well as foreign countries, foreign

nationals and international organizations, if provided by an international

agreement, ratified in accordance with the Constitution of the Republic of Macedonia or if it is a subject to reciprocity.

Article 11

Exempted from paying the fee are:

- former employees for filing a claim for employment with

the Bankruptcy Debtor in a Bankruptcy Procedure, in accordance with the Bankruptcy Law,

- citizens in a procedure for deciding upon a request for exemption from costs of the procedure,

- citizens in administrative disputes in the field of social insurance, social care, guardianship and adoption and denationalization and

- citizens in a procedure for execution of a request for entrusting a child to care and upbringing.

008-1. Please briefly present the methodology of calculation of these court fees:

- Court fees are calculated in compliance with the provisions of the Law on court fees. They are calculated according to the value of the case.

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[60]

[] NA

[] NAP

Comments According to the Law on Court Fees

009. Annual income of court fees received by the State (in €):

[7 801 705]

[] NA

[] NAP

Comments All court fees paid by the natural persons and legal entities.

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	442 468 [] NA [] NAP	357 432 [] NA [] NAP	85 036 [] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[] NA [X] NAP	[X] NA [] NAP

Comments Provided data from courts and Ministry of Justice.

Budget is increased for implementation on the new Law on free legal aid and facilitation of the conditions for getting on free legal aid. For line 2. for cases not brought to court (legal advice, ADR and other legal services) budget is planed in total budget for free legal aid. Because of that it not possible to be given separately.

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	335 114 [] NA [] NAP	305 173 [] NA [] NAP	29 941 [] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	334 379 [] NA [] NAP	305 173 [] NA [] NAP	29 206 [] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	735 [] NA [] NAP	[] NA [X] NAP	735 [] NA [] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: The budget for the legal aid in criminal cases is composed by: the budget for ex-officio lawyers according to the Law on Criminal procedure and the poor law budget. There are no other criminal cases, except criminal cases brought to court.

A little increasing in the implemented public budget in the other than criminal cases, is due to the fact that we start with full implementation new Law on free legal aid where the conditions for obtaining legal aid are facilitated.

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012-2. Does legal aid include:

	Legal aid includes:
Coverage of court fees	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Exemption from court fees	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments According the article 13 from the Law on free legal aid, the user of free legal aid is exempted from court fees and costs related to court proceedings. CHAPTER II. CRITERIA FOR APPROVING SECONDARY LEGAL AID, Article 17. In the mentioned article are given general criteria for approving secondary legal aid. Namely, the secondary legal aid applicant shall be entitled to secondary legal aid if their financial standing prevents them from exercising their constitutional and legal rights without jeopardising their livelihood and the livelihood of the family members in their household. The financial standing of the applicant and their family members shall be established on the grounds of a written statement on their financial standing (provided by the legal aid applicant as part of the secondary legal aid application.

The applicant shall be approved secondary legal aid if:

- they meet the income and property criteria ; or
- they meet the criteria stipulated as an exception .

Income requirements

(The financial standing of the applicant and their family members shall be considered jeopardised by the procedure costs if:

- the monthly income of the applicant living alone does not exceed the minimum net wage in the Republic of North Macedonia, set by the regulations in the area of minimum wage;
- the monthly income of the applicant living in a household with their family members does not exceed the minimum net wage of paragraph (1), item 1, hereof, and the monthly income of each subsequent family member does not exceed 20% of the minimum net wage set by the regulations in the area of minimum wage.

Asset requirements

An applicant shall be approved secondary legal aid if it is established on the grounds of the submitted statement of financial standing of the applicant and their family members that:

- the applicant and their family members own only one single housing unit or a flat in a building;
- in addition to the property of item 1 hereof, the applicant and their family members also own one or more physically connected lots not exceeding 300 m2 in Skopje or 500 m2 in other municipalities in the Republic of North Macedonia, i.e. one or more lots with a total area of no more than 5000 m2 in rural areas;
- the legal aid applicant and their family members own only one registered motor vehicle with an engine displacement under 1200 cc.

Approving secondary legal aid

without establishing financial standing

By exception to above mentioned, secondary legal aid shall be approved without establishing the financial standing of the applicant and their family members if:

- the applicant is in a foster family, assisted living or social welfare institution, as decided by a social work centre (hereinafter: special circumstances);
- the applicant needs to initiate and be represented in a procedure before a court in order to impose interim barring orders against domestic violence; or
- the applicant finds themselves in a financial situation preventing them from ensuring the protection of their rights independently due to a natural disaster, force majeure or circumstances beyond their control.

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012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

	Amount calculated/estimated included
Coverage of court fees	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments According to procedural laws and Law on free legal aid.

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013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	9 266 256 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 722 093 <input type="checkbox"/> NA <input type="checkbox"/> NAP
13.1. Annual public budget allocated to training of public prosecution services	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: Presented budget is lower in comparison with last year, because approximately 4 million euros were distributed for the Special Public Prosecution office last year. The SPO is not exist anymore in the Macedonian justice system.

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014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other ministry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Parliament	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Supreme Court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

High Judicial Council	() Yes (X) No <input type="checkbox"/> NAP			
Courts	() Yes (X) No <input type="checkbox"/> NAP			
Inspection body	() Yes (X) No <input type="checkbox"/> NAP			
Other	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP

Comments - If "Other Ministry" and/or "Inspection body" and/or "Other", please specify: The Court Budget Council is responsible body for preparation, management, allocation of the budget among the courts and evaluation of the use of the budget. The Court Budget presents the annual estimate of the revenues and expenditures of the judicial branch and the Academy for Training of Judges and Public Prosecutors, determined by the Assembly and intended for the financing of the judicial branch and the Academy for Training of Judges and Public Prosecutors.

The Court Budget is a part of the State Budget as a separate part designated as "Judicial Power."

President of the The Court Budget Council is president of the Judicial Council.

Members of the Court Budget Council are President of the Supreme Court, Minister of Justice, presidents of four appellate courts, presidents of 2 basic courts on system of rotation, President of the Administrative Court and Director of Academy for training of judges and public prosecutors.

With the Court Budget Council presides President of the Judicial Council.

The Law on the Court Budget define procedure for the drafting, adoption, and enforcement of the Court Budget and the setting up of the Court Budget Council.

By means of the Court Budget the judicial branch of power in the Republic of Macedonia and the Academy for Judges and Public Prosecutors, is financed.

The Court Budget Council has duties as follows:

- set the criteria and methodology for the drawing up of the Court Budget,
- determines the allocation of the funds from the Court Budget to all the courts and to the Academy for Judges and Public Prosecutors and undertakes duly enforcement of the Court Budget,
- approves the funds for new employments in courts and in the Academy for Judges and Public Prosecutors within the framework of the fixed court budget of the mass designated for the pay of salaries,
- appoints the internal auditor,
- enacts the Rules of Order and other internal acts.

The expenditures of the Court Budget comprise the following:

1. Daily expenditures for,

- salaries and compensation for judges,
- salaries and compensation for the state employees, court police and other employees at the courts,
- merchandise and services for court's operations,
- expenditures incurred in proceedings,
- payment of other expenditures incurred in daily operations of courts,
- professional training of judges, state employees, court police and other employees at courts,
- salaries and compensation for the employees in the Academy for Judges and Public Prosecutors,
- merchandise and services for operations of the Academy for Training of Judges and Public Prosecutors,
- payment of other expenditures incurred in daily operations of the Academy for Judges and Public Prosecutors, and
- initial training of candidates for judges and deputies public prosecutors and continuous professional development of judges, public prosecutors and their deputies, of the employees in the courts and public prosecution offices, as well as of the civil servants from the Ministry of Justice which perform activities from the area of the justice system.

2. Capital expenditures for:

- purchasing of capital assets for courts,

- investment maintenance of the facilities and court equipment
- purchasing of capital assets for Academy for Judges and Public Prosecutors
- investment maintenance of the facilities and equipment of the Academy for Judges and Public Prosecutors

The drafting of the Court Budget is made on the basis of the fiscal policy and the main categories on the assessed revenues and expenditures for the next budget year, and in compliance with the internal criteria and methodology determined by the Court Budget Council.

The courts and the Academy for Judges and Public Prosecutors submit the following data to the Court Budget Council by June 1 of the current year the latest:

- estimate of the expenditures for the fiscal year, according to the expense items and smaller items,
- estimate of the expenditures for the next two fiscal years according to the expenses under categories,
- review of the expenses for the employment requisite for the carrying out of the functions of the users,
- proposals that contain future obligations or expenditures that shall be incurred over several years, including the investment projects presented individually, and - expenses for every forthcoming year presented individually.

In addition to this data, the users submit an explanation regarding the amount of the funds according to their positions.

After it receives the proposals, the Court Budget Council draws up a Court Budget Proposal and together with the explanation on the amounts of funds submits it to the Ministry of Finances.

Prior to the submission of the Budget Proposal of the Republic of Macedonia to the Government , the Minister of Finances together with the President of the Court Budget Council shall mandatory adjust the part of the funds "Court Budget" from the State Budget Proposal.

The Court budget as a part of State budget is adopted by he Parliament.

The President of the court and the Director of the Academy for Training of Judges and Public Prosecutors is responsible for the enforcement of the financial plan in the court, respectively, the Academy for Judges and Public Prosecutors.

The Court Budget Council follows the enforcement of the court financial plan. If, during the control, it is determined that irregularities and abuses by the President of the Court and by the Director of the Academy for Judges and Public Prosecutors have occurred in the process of enforcement of the financial plan, the Council informs the Supreme Court, the Ministry of Justice, the Judicial Council, the Academy for Judges and Public Prosecutors, the Ministry of Finance, and the State Bureau for Revision.

014-0. What are the criteria used to allocate financial resources among courts? Furthermore, please select maximum three main criteria of allocation

	Criteria used	Main criteria
Previous years' budget costs	[]	[]
Special needs assessment	[X]	[X]
Number of judges/non judges' staff	[X]	[X]
Number of incoming cases	[]	[]
Number of pending cases	[X]	[X]
Number of resolved cases	[]	[]
Other	[]	[]

[] NAP

Comments - If "Other", please specify All of mentioned criteria are used in the allocation of financial resources among courts. These 3 checked are the most relevant.

014-1. Who is entrusted with responsibilities related to the budget within a first instance court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Court President and/or judge(s)	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Head of court administration and/or non-judges	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Mixed body (judge(s) and non-judge(s))	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - If "Other", please specify. If the responsibilities are different depending on the type/instance of courts, please answer the question for the first instance court of general jurisdiction and describe the differences in the comment box: Regulated in the Law on court budget.

A2. Please indicate the sources for answering the questions in this part

Sources: Judicial Council, Ministry of Finance, Ministry of Justice, Court Budget Council, courts and Public Prosecution Office

1.1.3 Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	68 574 604 [] NA [] NAP	65 163 679 [] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: In this budget are included court budget, budgets on Judicial Council, budget on Academy for judges and public prosecutors, Public Prosecution office, Ministry of justice, Constitutional court, Prisons, State Attorney office and Ombudsman office.

The biggest portion of the justice budget is allocated to the courts, prisons and public prosecution office.

Total approved budget is lower because there is no presented budget for the Special Public Prosecutor office and a lower court budget and the budget of the Academy for judges and public prosecutors. For the reasons please see comment on Q4.

015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

Included

Courts	(X) Yes () No <input type="checkbox"/> NAP
Legal aid	(X) Yes () No <input type="checkbox"/> NAP
Public prosecution services	(X) Yes () No <input type="checkbox"/> NAP

Comments All of these included.

015-3. Other budgetary elements

	Included
Prison system	(X) Yes () No <input type="checkbox"/> NAP
Probation services	(X) Yes () No <input type="checkbox"/> NAP
High Judicial Council	(X) Yes () No <input type="checkbox"/> NAP
High Prosecutorial Council	(X) Yes () No <input type="checkbox"/> NAP
Constitutional court	(X) Yes () No <input type="checkbox"/> NAP
Judicial management body	(X) Yes () No <input type="checkbox"/> NAP
State advocacy	(X) Yes () No <input type="checkbox"/> NAP
Enforcement services	() Yes (X) No <input type="checkbox"/> NAP
Notariat	() Yes (X) No <input type="checkbox"/> NAP
Forensic services	() Yes (X) No <input type="checkbox"/> NAP
Judicial protection of juveniles	() Yes (X) No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	(X) Yes () No <input type="checkbox"/> NAP

Refugees and asylum seekers services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Immigration Service	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

If "Other", please specify: Ombudsman budget.

A3. Please indicate the sources for answering the questions in this part

Sources: All mentioned institutions

1.2. Organisation and management of courts and public prosecution services

015-4. Please describe who has responsibilities for the management of individual courts, what management roles they have, what is their status and their position in the organisational hierarchy of the court concerned.

- According to the article 16 from the Law on court budget, president of the court is responsible for the execution on the budget in the court.

Max characters value : 10 000

015-5. Please describe who has responsibilities for the management of individual public prosecution offices, what management roles they have, what is their status and their position in the organisational hierarchy of the office concerned.

- Chief of public prosecution office is responsible for the execution on the budget in the public prosecution office.

Max characters value : 10 000

2. Access to justice and all courts

2.1. Legal Aid

2.1.1 Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

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016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- In our country there is a dual system of free legal aid: one through Ministry of Justice according to the Law on free legal aid and another one given directly by the courts according to the procedural laws (Law on civil procedure and Law on Criminal Procedure). The Law on free legal aid regulates the general rules for providing free legal aid, the types and scope of free legal aid, the providers and beneficiaries of free legal aid, their duties and responsibilities, the procedure for exercising the right to free legal aid, the funding, reward and cost reimbursement for provided free legal aid, free legal aid in cross-border disputes, transparency and accountability in providing free legal aid, special procedures for free legal aid, the supervision of the implementation of this law, and other issues related to free legal aid.

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018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

() Yes

(X) No

[] NAP

If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

Criminal cases	Other than criminal cases

Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments - If yes, please specify: According the article 13 paragraph 5 from the Law on free legal aid, user of free legal aid is exempted from the costs for experts.

2.1.2 Information on legal aid



020. Please indicate the number of cases for which legal aid has been granted:

	Total	Cases brought to court	Cases not brought to court
TOTAL	4 434 [] NA [] NAP	1 745 [] NA [] NAP	2 689 [] NA [] NAP
In criminal cases	1 588 [] NA [] NAP	1 588 [] NA [] NAP	[] NA [X] NAP
In other than criminal cases	2 846 [] NA [] NAP	157 [] NA [] NAP	2 689 [] NA [] NAP

Comments - Please specify when appropriate: In 2020 there were 1586 criminal cases referred to the court for which court granted free legal aid (compulsory defense) and 2 cases referred to the court for which court granted free legal aid (Defense of indigent persons). Additionally in the same year there were 20 civil cases referred to the court for which court granted free legal aid and 137 civil cases for which Ministry of Justice granted legal aid according to the Law on free legal aid. According to the new Legal aid which start with implementation in October 2019, in 2020 we have significantly increasing of the number of cases where primary legal aid was given. Primary legal aid according to the new law can give Ministry of justice, Associations registered in the Ministry of justice for giving on primary legal aid and legal clinics.

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final approval of the legal aid request:

	Time in days
Maximum duration prescribed in law/regulation	15 [] NA [] NAP
Actual average duration	[X] NA [] NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases please provide more information: According the article 23 from the Law on free legal aid, the authorized person within 15 days from the day of receipt of the request is obliged:

- to obtain all the data necessary for determining whether the applicant meets the conditions for granting secondary legal aid,
- to examine and determine whether the applicant meets the conditions for approval of secondary legal aid,
- to prepare a confirmation approving or a notification rejecting the request for secondary legal aid and
- to organize the first meeting between the lawyer and the beneficiary of the secondary legal aid and state the date of maintenance in the certificate.



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021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify:

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	(X) Yes () No [] NAP
Victims	(X) Yes () No [] NAP

Comments According to the Article 75 from The law on Criminal procedure, the defendant can indicate the preferred attorney from the list of defense counsels of the appropriate legal community.

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

- (X) Yes
- () No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above:

023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	[] NA [X] NAP	[] NA [X] NAP
Full legal aid to the applicant for other than criminal cases	242 [] NA [] NAP	[X] NA [] NAP
Partial legal aid to the applicant for criminal cases	[] NA [X] NAP	[] NA [X] NAP

Partial legal aid to the applicant for other than criminal cases

NA
 NAP

NA
 NAP

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

- Yes
 No

Comments - If yes, please explain the exact criteria for denying legal aid:

025. Is the decision to grant or refuse legal aid taken by:

- the judge(s) dealing with the main case
 another judge or official
 an authority external to the court
 several authorities (court and external bodies)

Comments

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

- Yes
 No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If no, please specify how legal costs are distributed: This issue is regulated in Chapter 11 from the Law on Civil Procedure and Chapter 10 from the Law on Criminal Procedure (expenses of procedures).

B1. Please indicate the sources for answering the questions in this part

Sources: The Ministry of Justice and courts

2.2.Court users and victims

2.2.1Rights of the users and victims



028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	(X) https://www.pravda.gov.mk https://www.sobranie.mk	()
Case-law of the higher court/s	(X) www.sud.mk	()
Information about the judicial system (organisation of courts, court proceedings, etc)	(X) www.sud.mk	()
Other documents (e.g. forms, downloadable forms, online registration forms)	(X) www.sud.mk	()

Comment - Please specify what documents and information are included in “Other documents” e-delivery, online forms for petitions from citizens, accreditation from journalists etc.

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?

(X) Yes, always

() No

() Yes, only in some specific situations

Comment - If “Yes, only in some specific situations”, please specify:

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

	Information system
General for citizens	<input type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input checked="" type="checkbox"/> Other <input type="checkbox"/> No
Specific for minors (child-friendly systems)	<input type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input checked="" type="checkbox"/> Other <input type="checkbox"/> No

Comment - Please provide more information on these systems. Furthermore, please specify how this assistance is provided. One segment of this is the system of free legal aid.

Another system is related to the compensation of children victims. Namely, The Program for compensation of children victims is published on the web site of the Ministry of Justice.

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	(X) Yes () No	(X) Yes () No	() Yes (X) No
Victims of terrorism	(X) Yes () No	(X) Yes () No	() Yes (X) No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	() Yes (X) No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	() Yes (X) No
Ethnic minorities	(X) Yes () No	(X) Yes () No	() Yes (X) No
Persons with disabilities	(X) Yes () No	(X) Yes () No	() Yes (X) No
Juvenile offenders	(X) Yes () No	(X) Yes () No	() Yes (X) No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	(X) Yes () No	(X) Yes () No	() Yes (X) No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify:

031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as “Children's Houses”
- Other, please specify
- NAP

Comment

031-1. What are the main criteria for a minor to initiate a proceeding, take procedural actions in his/her own name or to be a witness?

Civil proceedings	Criminal proceedings
--------------------------	-----------------------------

Capacity to initiate a proceeding and take other procedural actions in his/her own name	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input checked="" type="checkbox"/> NAP
To be a witness	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comment - Please specify if you selected answers “Exceptions from the threshold” and “Other”. If your system distinguishes between full and limited capacity to take legal actions, please describe the basis for this differentiation (age, capacity for discernment, type of action, type of cases, other). Criminal Procedure

This issue is regulated in the Article 19 of the LAW ON JUSTICE FOR CHILDREN. According to the mentioned article:

-A child shall mean any person under 18 years of age;

-A child at risk shall mean any child who has reached seven, and is younger than 18 years of age, with a bodily disability or mental disabilities, a victim of violence, educationally and socially neglected, who is in such a condition that it is difficult or impossible to achieve the educational function of parent/s or guardian/s, who is not included in the system of education and upbringing, drawn into begging, wandering or prostitution, who uses drugs and other psychotropic substances and precursors or alcohol, and who, because of such conditions, is, or may come into contact with the law as a victim or witness in an act which by law is envisaged as a misdemeanor or crime;

-A child at risk aged up to 14 shall mean any child who at the time of committing an act envisaged by law as a criminal offense for which a fine or imprisonment of more than three years is determined, or an act envisaged by law as a misdemeanor, has reached seven and is younger than 14 years of age;

-A child at risk aged 14 to 18 shall mean any child who at the time of committing an act envisaged by law as a criminal offense for which a fine or imprisonment of up to three years is determined, or an act envisaged by law as a misdemeanor, has reached 14 and is younger than 18 years of age;

-A child in conflict with the law aged 14 to 16 shall mean any child who at the time of committing an act envisaged by law as a criminal offense for which imprisonment of more than three years is determined, has reached 14 and is younger than 16 years of age;

-A child in conflict with the law aged over 16 shall mean any child who at the time of committing an act envisaged by law as a criminal offense for which imprisonment of more than three years is determined, has reached 16 and is younger than 18 years of age;

-A child victim shall mean any child under 18 who has suffered harm, including physical or mental injury, emotional suffering, material loss or other injury or violation of child’s rights and interests as a result of a committed act envisaged by law as a crime;

-A younger adult shall mean a person who at the time of adjudication regarding an act envisaged by law as a criminal offense, has reached 18 and is younger than 21 years of age;

-Measures shall mean measures of assistance and protection stipulated by law which do not consist of deprivation and restriction of children's freedoms and rights for having committed an act envisaged by law as a crime or a misdemeanor or a state of risk, that may be applied against the child, parent/s or guardian/s by a court or other authorities specified by this Law;

-A sanction shall mean a legal consequence of any act envisaged by law as a crime or misdemeanor consisting in assistance and protection, or restriction or deprivation of certain rights and freedoms of children aged 14 to 18 for having committed acts envisaged by law as crimes or misdemeanors, issued by a court in a procedure defined by this Law.

According to the Law, before deciding whether to file a request for the initiation of preparatory proceedings, the Public Prosecutor shall hear the child in the presence of his/her parent/s or guardian/s and Defense Counsel, except where child's psychological and physical condition does not allow for this.

According to the Law on Criminal Procedure, the following persons shall not be witnesses: a juvenile person (18 years) who, bearing

mind his or her age and mental development is not capable of understanding the significance of his or her right not to testify, unless the defendant himself or herself demands it.

CIVIL PROCEDURE

According to the Law on Civil Procedure, minor in civil procedure is represented by the legal representative.

According to the Law on Civil Procedure, witness who at the moment of interrogation are minors or who cannot understand the meaning of the oath will not take the oath.

031-2. If a minor cannot conduct proceedings in his/her own name, who can represent him/her in judicial proceedings?

	Civil proceedings	Criminal proceedings
Parent/legal guardian	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP
Other representative (instead of parent/legal guardian)	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comment Legal representative and lawyer, but Center for social affairs is also involved.

031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment LAW ON JUSTICE FOR CHILDREN

Regarding a child who, at the time of committing an act envisaged by law as a crime or misdemeanor, has not reached 14, any sanction stipulated by this Law may not be applied.

Article 21

Regarding a child at risk of up to 14 years of age and a child at risk aged over 14 years of age, legal measures of assistance and protection that are in the best interest of the child and child's upbringing and development shall be applied.

Article 22

(1)Regarding a child at risk of up to 14 years of age and a child at risk aged over 14 years of age, measures of assistance and protection shall be applied only when the Center for Social Work finds that the state of risk affects the personality development and proper upbringing of the child.

(2)The measures referred to in paragraph (1) of this Article may also apply to parent/s or guardian/s if they neglected or abused the exercise of their rights or obligations regarding the protection of personality, rights and interests of the child.

Article 23

Measures of assistance and protection shall be measures stipulated by law in the areas of education, health care, social welfare, family and other forms of protection.

031-3-1. What is the age threshold for the criminal liability of minors?

Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

[14]

[] NA

[] NAP

Criminal liability resulting in sentence of privation of liberty

[16]

[] NA

[] NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how? LAW ON JUSTICE FOR CHILDREN

A child aged 14 to 16 may, for an act envisaged by law as a crime, be sentenced only educational measures.

A child aged 16 to 18 may, for an act envisaged by law as a crime, be sentenced educational measures, and as an exception, punished by sanction or issued an alternative measure.

032. Does your country allocate compensation for victims of offences?

() Yes, but only if offender is unknown

() Yes, but only if compensation could not be obtained from offender

(X) Yes, always

() No

Comment

032-0. If yes, for what types of offences the compensation is allocated?

() For all types of offences

(X) For some types of offences

[] NAP

Comment - Please specify: criminal offences with violence

032-1. Is a court decision necessary in the framework of the compensation procedure?

(X) Yes

() No

Comments A child identified by a Final Court Decision as a victim or a party injured by an act envisaged by law as a crime or misdemeanor with elements of violence and who has been recognized a legal indemnification claim, may submit a claim for damages from the funds referred to in Article 151 paragraph (1) of this Law to the competent court, if due to factual or legal obstacles, the indemnification claim cannot be executed from the assets of the perpetrator of the crime or another act of violence, and if from the Final Decision on Indemnification Claim, more than six months have passed.

Regarding the compensation procedure for persons over 18, in parliamentary procedure is Law for victim's` compensation that will be adopted by the Parliament in next period.

032-0. If yes, for what types of offences the compensation is allocated?

() For all types of offences

(X) For some types of offences

[] NAP

Comment - Please specify: criminal offences with violence

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments A child identified by a Final Court Decision as a victim or a party injured by an act envisaged by law as a crime or misdemeanor with elements of violence and who has been recognized a legal indemnification claim, may submit a claim for damages from the funds referred to in Article 151 paragraph (1) of this Law to the competent court, if due to factual or legal obstacles, the indemnification claim cannot be executed from the assets of the perpetrator of the crime or another act of violence, and if from the Final Decision on Indemnification Claim, more than six months have passed.

Regarding the compensation procedure for persons over 18, in parliamentary procedure is Law for victim's` compensation that will be adopted by the Parliament in next period.

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify: criminal offences with violence

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments A child identified by a Final Court Decision as a victim or a party injured by an act envisaged by law as a crime or misdemeanor with elements of violence and who has been recognized a legal indemnification claim, may submit a claim for damages from the funds referred to in Article 151 paragraph (1) of this Law to the competent court, if due to factual or legal obstacles, the indemnification claim cannot be executed from the assets of the perpetrator of the crime or another act of violence, and if from the Final Decision on Indemnification Claim, more than six months have passed.

Regarding the compensation procedure for persons over 18, in parliamentary procedure is Law for victim's` compensation that will be adopted by the Parliament in next period.

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?

Yes

No

Comments - If yes, please specify:

035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?

Yes

No

Comment - If yes, please specify: The police, the Public Prosecutor and the Court shall proceed with special care towards a child victim of crime advising him/her of the rights and taking care of child's interest in making a Decision on prosecution against the defendant, on

which, an official written note or record shall be made.

The Court, the Public Prosecutor's Office and the Police shall advise a child victim of his/her rights no later than child's first questioning and they shall compile an official written note or record thereof.

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

Yes

No

NAP

Comment - If necessary, please specify: Victims have right for dispute a public prosecutor's decision to discontinue a case that is submitted to the High public prosecution office.

037. Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	399 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	399 <input type="checkbox"/> NA <input type="checkbox"/> NAP	331 856 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	371 <input type="checkbox"/> NA <input type="checkbox"/> NAP	392 <input type="checkbox"/> NA <input type="checkbox"/> NAP	136 987 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	184 902 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 967 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comment - Where appropriate, please give details of the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

2.2.2 Confidence and satisfaction of citizens with their justice system



038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

	National level	Court level
Surveys for judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

Surveys for court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for other professionals	<input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: These surveys are carried out by international projects, NGO`s, and Association of Judges.

039. Are there statistical data concerning male and female court users, persons who initiate a case, victims, accused persons, etc.

Yes, please specify:

No

Comment - If you have additional comments please specify:

040. Is there a national or local procedure for filing complaints about the functioning of the judicial system? (for example, handling of the case by a judge or the duration of a proceeding)

Yes

No

Comments

041. If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Existence of a time limit to deal with the complaint for this authority
Court concerned	(X) Yes () No	(X) Yes () No
Higher court	(X) Yes () No	(X) Yes () No
Ministry of Justice	(X) Yes () No	(X) Yes () No
High Judicial Council	(X) Yes () No	(X) Yes () No
Other external bodies (e.g. Ombudsman)	(X) Yes () No	(X) Yes () No

Comments

041-1. If yes, please specify certain aspects of this procedure:

	Number of complaints	Compensation amount granted
Court concerned	[X] NA [] NAP	[] NA [X] NAP
Higher court	[X] NA [] NAP	[] NA [X] NAP
Ministry of Justice	271 [] NA [] NAP	[] NA [X] NAP
High Judicial Council	531 [] NA [] NAP	[] NA [X] NAP
Other external bodies (e.g. Ombudsman)	406 [] NA [] NAP	[] NA [X] NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

3.Organisation of the court system

3.1.Courts

3.1.1Number of courts

042. Number of courts - legal entities.

	Number of courts
Total number of all courts - legal entities (1 + 2)	34 [] NA [] NAP

1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	30 [] NA [] NAP
1.1 First instance courts of general jurisdiction - legal entities	25 [] NA [] NAP
1.2 Second instance courts of general jurisdiction - legal entities	4 [] NA [] NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 [] NA [] NAP
2 Total number of specialised courts - legal entities	4 [] NA [] NAP

Comments

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	3 [] NA [] NAP	1 [] NA [] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP	[] NA [X] NAP
Labour courts	[] NA [X] NAP	[] NA [X] NAP
Family courts	[] NA [X] NAP	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP	[] NA [X] NAP
Administrative courts	1 [] NA [] NAP	1 [] NA [] NAP
Insurance and / or social welfare courts	[] NA [X] NAP	[] NA [X] NAP

Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Juvenile courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised courts	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other specialised courts", please specify:

044. Number of courts - geographic locations.

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP
All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

=

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
A small claim	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP
An employment dismissal	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP
A robbery	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP
An insolvency case	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

045-1. Is your definition of a small claim the same as the one in the Explanatory note?

Yes

No

Comments - If not, please give your definition of a small claim:

045-2. Please indicate the value in € of a small claim:

[9 726]

C. Please indicate the sources for answering the questions in this part

Sources: The Law on Courts and The Law on Civil Procedure

3.2. Court staff**3.2.1 Judges and non-judge staff**

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	493 [] NA [] NAP	194 [] NA [] NAP	299 [] NA [] NAP
1. Number of first instance professional judges	376 [] NA [] NAP	144 [] NA [] NAP	232 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	95 [] NA [] NAP	39 [] NA [] NAP	56 [] NA [] NAP
3. Number of Supreme Court professional judges	22 [] NA [] NAP	11 [] NA [] NAP	11 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: In row 1. - Number of first instance professional judges there are counted judges in all 27 basic courts and judges in Administrative court.

In row 2. - Number of second instance professional judges there are counted judges in all 4 appellate courts and judges in High Administrative court.

Number of Supreme Court professional judges - Female: The number is higher because of new elected judges in 2020.

The reason for permanent decrease in the number of first instance judges is the introduction of a new condition for appointment of first instance judges. Namely, to become first instance judge, a candidate has to complete the initial training in the Academy for judges and public prosecutors. Having in mind that there was limited number for persons for initial training, there were not enough candidates eligible to be appointed in basic courts by the Judicial Council.

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046-1-1. Does your system allow part-time work for judges with proportionally reduced remuneration?

() Yes

(X) No

Comments

046-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):

- Child-care
- Elderly care
- For the purposes of early retirement
- Other reason, please specify:
- Without reason

Comments

046-1-3. If yes, what is the percentage of judges working part-time (in relation to the total number of judges)?

	Total (%)	Male (%)	Females (%)
Total (1 + 2 + 3) (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

046-1-4. What is the percentage of work time of a judge working part-time compared to a full-time equivalent judge?

- Less than 50%
- 50 – 60%
- 60 - 80%
- More than 80%
- NA
- NAP

Comments

=

046-2. Number of judges (FTE) by case type:

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP				

First instance	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP				
Second instance	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP				
Supreme court	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP				

If "Other", please explain which types of cases:



=

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of first instance court presidents	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) court presidents	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of Supreme Court presidents	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):

	Figure
Gross figure	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full-time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If necessary, please provide comments to explain the answer provided:

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

() Yes If yes, please give specifications on the types of cases and an estimate in percentage.

() No

NAP

Comments

049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):

	Figure
Gross figure	499 [] NA [] NAP
In full time equivalent	339 [] NA [] NAP

Comments Gross figure - Number is higher because of more elected lay judges in 2020.

049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	()	()	(X)
Criminal cases (misdemeanour and/or minor)	()	(X)	()
Family law cases	()	()	(X)
Labour law cases	()	()	(X)
Social law cases	()	()	(X)
Commercial law cases	()	()	(X)
Insolvency cases	()	(X)	()
Other civil cases	()	(X)	()

[] NAP

Comments - If “Other civil cases”, please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

() Yes

(X) No

Comments

050-1. If yes, for which type(s) of case(s)?

[] Criminal cases

[] Other than criminal cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[]

[] NA

[X] NAP

Comments

=

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	2 266 [] NA [] NAP	846 [] NA [] NAP	1 420 [] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, helping to draft the decisions)	559 [] NA [] NAP	177 [] NA [] NAP	382 [] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	1 367 [] NA [] NAP	431 [] NA [] NAP	936 [] NA [] NAP
4. Technical staff	153 [] NA [] NAP	54 [] NA [] NAP	99 [] NA [] NAP
5. Other non-judge staff	187 [] NA [] NAP	184 [] NA [] NAP	3 [] NA [] NAP

Comments - If "Other non-judge staff", please specify: In this category are included the number of the employees in the judicial police.
Other non-judge staff - female: There are no a big difference in absolute numbers.

052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).

Total	Males	Females
-------	-------	---------

Total non-judge staff working in courts (1+2+3)	2 266 [] NA [] NAP	846 [] NA [] NAP	1 420 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	1 935 [] NA [] NAP	761 [] NA [] NAP	1 174 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	257 [] NA [] NAP	69 [] NA [] NAP	188 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	74 [] NA [] NAP	16 [] NA [] NAP	58 [] NA [] NAP

Comments Total non-judge staff working in courts at Supreme Court level - Female: Increasing is due to the new employees in the State PPO.

=

053. If there are Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal in your judicial system, please specify in which fields they have a role:

- Legal aid
- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

- Yes
- No

Comments

054-1. If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):

C1. Please indicate the sources for answering the questions in this part

Sources: Judicial Council
Court Budget Council

3.3. Public prosecution

3.3.1 Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled, for all types of courts – general jurisdiction and specialised courts).

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	187 [] NA [] NAP	84 [] NA [] NAP	103 [] NA [] NAP
1. Number of prosecutors at first instance level	147 [] NA [] NAP	61 [] NA [] NAP	86 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	30 [] NA [] NAP	14 [] NA [] NAP	16 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	10 [] NA [] NAP	9 [] NA [] NAP	1 [] NA [] NAP

Comments - Please indicate any useful comment for interpreting the data above: Number of prosecutors at Supreme Court level – Female: Lower number is because one of the prosecutors has been retired and new is not elected.

=

055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?

() Yes

(X) No

Comments

055-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):

[] Child-care

[] Elderly care

[] For the purposes of early retirement

Other reason, please specify:

Without reason

Comments

055-1-3. If yes, what is the percentage of prosecutors working part-time (in relation to the total number of prosecutors)?

	Total (%)	Male (%)	Females (%)
Total (1 + 2 + 3) (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

055-1-4. What is the percentage of work time of a prosecutor working part-time compared to a full-time equivalent prosecutor?

Less than 50%

50 - 60%

60 - 80%

More than 80%

NA

NAP

Comments

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of heads of prosecution offices at first instance level	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of heads of prosecution offices at Supreme Court level	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please provide any useful comment for interpreting the data above: In 4 Basic Prosecutor Offices in 2020 4 heads were not appointed.

057. Do other persons have similar duties to those of public prosecutors?

- Yes
- No

Comments - If yes, please specify their titles and functions:

057-1. Please specify their number (in full-time equivalent):

- 0
- NA

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

- Yes
- No
- NAP

Comments

059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?

	-
Domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Sexual violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify Training conducted through Academy for Judges and Prosecutors

=

060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	324 <input type="checkbox"/> NA	90 <input type="checkbox"/> NA	234 <input type="checkbox"/> NA

Comments Higher number of employees last year was because of the employees in the Special Public Prosecution office. This category of employees is not working anymore in the public prosecution system.

C2. Please indicate the sources for answering the questions in this part

Sources:

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year or you have additional comments, please specify:

061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

	Yes / No
Court president	<input type="checkbox"/> Yes If “yes”, please specify:[Comment] <input checked="" type="checkbox"/> No
Head of prosecution services	<input type="checkbox"/> Yes If “yes”, please specify:[Comment] <input checked="" type="checkbox"/> No

Comments

3.4.2 At national level

061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?

Yes

No

Attachments

 1.doc

 2.doc

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us? Please the attachments in Q277: “Law on Equal Opportunities for women and men promulgated in 2012” and “Strategy on Gender Equality 2013-2020”.

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
The recruitment of judges	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The promotion of judges	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The recruitment of prosecutors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The promotion of prosecutors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The recruitment of non-judge staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The promotion of non-judge staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments:

061-6-1. Please specify the text which set up this person/institution :

(title, date, nature of the text)

[X] NAP

061-6-2. Please specify the status of this person/institution:

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality)

[X] NAP

061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:

(e.g. to block a decision or allow an appeal)

[X] NAP

3.4.3 At court/public prosecution services level

061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work:

	Yes	No
in courts (judges)	()	(X)
in public prosecution services (prosecutors)	()	(X)
for courts' non-judge staff	()	(X)

Comments - Please specify the details of this person/institution, in particular its titles and function:

061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:

	Yes	No
Assignment to different positions	()	(X)
Workload distribution	()	(X)
Working hours	()	(X)
Modalities of teleworking and presence in the workspace	()	(X)
Replacement of absent persons	()	(X)
Organisation of the hearings	()	(X)
Other	()	(X)

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments.

061-9. In order to improve gender balance in access to different judicial professions and equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) : Adopted a Law for equal rights between the men and women and a Strategy for gender equality.

are planned (please specify) : Amendments on the Law for equal rights between men and women are under preparation. New Strategy for gender equality for the period 2021-2026 is in the final stage of preparation.

Comments - If the situation changed since reference year, please specify in the comments. There are no changes.

[] NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible inequalities with regard to:

- [] Recruitment procedures, please specify:
- [] Appointment to the position of court president, please specify:
- [] Appointment to the position of head of prosecution services, please specify:

Promotion procedures and access to the functions of responsibility, please specify:

Other studies, please specify:

NAP

Comments - Please specify also the reference documents. There are no such studies

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

062-1. Basic principles and models used in Information technology policies and strategies definition

	Organisation
IT policies and strategies	<input type="checkbox"/> Defined and coordinated at national level by one institution <input checked="" type="checkbox"/> Defined and coordinated at national level by several institutions <input type="checkbox"/> Defined and coordinated at unit/stakeholder level <input type="checkbox"/> Other
IT Governance	<input type="checkbox"/> Governed at national level by one institution <input checked="" type="checkbox"/> Governed at national level by several institutions <input type="checkbox"/> Organised at unit/stakeholder level <input type="checkbox"/> Other

Comments

065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

administrative, technical and scientific staff only

mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff

other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented):

065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

	Implementing new projects	Management of applications
Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Other alternatives (external service provider only – specify in a comment)	(X) Yes () No	(X) Yes () No
---	---------------------	---------------------

Comments - please also describe in case of “other alternatives” Automated Court Case management System is maintained by the external company.

Key body for IT in the courts is The Council for Coordination and Management of Information and Communication Technology in the Judicial Bodies (Council for ICT). This body is defined in the Law on courts. Namely, The Council for Coordination and Management of Information and Communication Technology in the Judicial Bodies is established as operative-expert body composed by the representatives of judicial bodies. The Council for ICT gives suggestions for determination of the priorities of the policies and coordination of the judicial bodies in the working of the system of information and communication technology. The Ministry of Justice gives administrative support in the work of Council for ICT. The Ministry of Justice uses the statistical data from the data basis from the IT system in the judiciary. The Minister of Justice shall, by means of a by-law, determine the composition and manner of functioning of the Council for ICT. The Council for ICT is composed of judges, professors and IT staff.

Second body is Working Body for standardization of procedures related the use of the automated system in the courts, defined in the Law on the management of case flow in courts. According to the mentioned Law, the automated management of court cases in the courts shall represent the undertaking of actions on the part of the president of the court, the court administrator, the judges and the court officials, from the day of receipt of the written submissions in the court to the day of effective completion and archiving of cases. The automated court case management information system shall be mandatorily used in the management of court cases flow and it shall not allow further movement of the case without completely entered data in accordance with the instructions and conclusions of the Working Body for standardization of procedures related to the use of automated system in the courts.

The Working Body for standardization of procedures related the use of the automated system in the courts shall adopt an act to unify as follows:

- the terminology used in the automated system,
- the established file codes at central level,
- the electronic templates, confirmations, memoranda, decisions and other documents,
- the methodology for entry of data,
- the protocols for case flow,
- the types of data,
- the reports on various users, and
- other matters required in order to unify procedures related the use of the automated system.

The courts shall be obligated to act upon the conclusions of the Working Body for standardization of procedures related the use of the automated system in the courts within the period of time set forth in the conclusions.

065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?

- () Yes
- (X) No

065-4-1. If yes, have you measured the impact on (multiple answers possible):

- [] Business processes
- [] Workload
- [] Human resources
- [] Costs
- [] Other, please specify

Comments (please specify examples of the impact)

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?

Yes

No

Comments (please specify in particular if national frameworks of information security exist):

065-6. Is the protection of personal data managed by courts ensured at legislative level?

Yes

No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) The Law on Data Protection

3.5.3 Centralised databases for decision support

062-4. Is there a centralised national database of court decisions (case-law, etc.)?

Yes

Non

Comments

062-4-1. If yes, please specify the following information:

	For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
Civil and/or commercial	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criminal	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Administrative	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - if it exists in other matters please specify

062-6. Is there a computerised national record centralising all criminal convictions?

Yes

No

Comments

062-6-1. If yes, please specify the following information:

- Linkage with other European records of the same nature
- Content directly available through computerised means for judges and/or prosecutors
- Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access

3.5.4 Writing assistance tools

**062-7. Are there writing assistance tools for which the content is coordinated at national level?
(models or templates, paragraphs already pre-written, etc.)**

Yes

No

Comment – if it exists in other matters please specify

062-7-1. If yes, please specify the following information:

	Availability rate
Civil and/or commercial	<input checked="" type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input type="checkbox"/> NA

062-8. Are there voice recording tools?

Yes

No

Comments

062-8-1. If yes, please specify:

	Availability of simple dictation tools	Availability of multiple speakers recording tools	Voice recognition feature
Civil and/or commercial	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

Criminal	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

062-9. Is there an intranet site within the judicial system for distribution of news/novelities?

Availability rate:

- 100% - accessible to everyone in judiciary
- 50-99% - accessible for most judges/prosecutors in all instances
- 10-49% - in some courts only
- 1-9% - in one court only
- 0% (NAP) - No access

NA

Comments

3.5.5 Technologies used for administration of the courts and case management

063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)

- Yes
- No

Comments - if it exists in other matters please specify

063-1-1. If yes, please specify the following information:

CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool

Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input checked="" type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input checked="" type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input checked="" type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - If it exists in other matters please specify:

063-2. Computerised registries managed by courts

	Deployment rate	Data consolidated at national level	Service available online	Statistical module integrated or connected
Land registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Business registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment – if it exists in other matters please specify:

Budgetary and financial monitoring

063-6. Budgetary and financial management systems of courts

	Tool deployment rate	Data consolidated at national level	System communicating with other ministries (financial among others)
Budgetary and financial management of courts	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Justice expenses management	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Other (please specify in comments)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

Other tools of courts management

063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

Yes

No

Comments

063-7-1. If yes, please specify the following information:

	Tools deployment rate	Data used for monitoring at national level	Data used for monitoring at court local level	Tool integrated in the CMS
For judges	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

For prosecutors	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For non-judge/non-prosecutor staff	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

3.5.6 Technologies used for communication between courts, professionals and/or court users

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)

Yes

No

Comments

064-2-1. If yes, please specify the following information:

	Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - if it exist in other matters please specify There is legal framework for submitting a case to courts by electronic means, but there are not technical conditions for implementation of these provisions.

064-3. Is it possible to request legal aid by electronic means?

() Yes

(X) No

Comments

064-3-1. If yes, please specify the following information:

	Requesting legal aid electronically
Availability rate	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Formalisation of the request in paper form remains mandatory	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Specific legislative framework regarding requests for legal aid by electronic means	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

(X) Yes

() No

Comments

064-4-1. If yes, please specify the following information:

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> SMS <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/>

Criminal	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> [] SMS <input checked="" type="checkbox"/> [X] E-mail <input type="checkbox"/> [] Specific computer application <input type="checkbox"/> [] Other	<input checked="" type="checkbox"/> [X]
Administrative	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> [] SMS <input checked="" type="checkbox"/> [X] E-mail <input type="checkbox"/> [] Specific computer application <input type="checkbox"/> [] Other	<input checked="" type="checkbox"/> [X]

Comments

Use of information technologies for improving the quality of the communication between courts and professionals

064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework	Availability for
Civil and/or commercial	<input type="checkbox"/> [] 100% <input type="checkbox"/> [] 50-99% <input type="checkbox"/> [] 10-49% <input checked="" type="checkbox"/> [X] 1-9% <input type="checkbox"/> [] 0% (NAP) <input type="checkbox"/> [] NA	<input checked="" type="checkbox"/> [X] Submission of a case to a court <input type="checkbox"/> [] Phases preparatory to a hearing <input checked="" type="checkbox"/> [X] Schedule of hearings and/or deferrals <input checked="" type="checkbox"/> [X] Transmission of court decisions	<input checked="" type="checkbox"/> [X] E-mail <input type="checkbox"/> [] Specific computer application <input type="checkbox"/> [] Other	<input checked="" type="checkbox"/> [X] Yes	<input checked="" type="checkbox"/> [X] Lawyers <input checked="" type="checkbox"/> [X] Parties not represented by lawyer

Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes	<input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes	<input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer

Comments

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Notaries (as defined in Q192 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Experts (as defined in Q202 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Judicial police services	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments

064-9. Are there online processing systems of specialised litigation (small claim litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)?

Yes

No

Comments – Please describe the system that exists.

Use of information technologies between courts, professionals and users in the framework of judicial proceedings

064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)

Yes

No

Comments

064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input type="checkbox"/> No

Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

Yes

No

Comments

064-11-1. If yes, please specify the following information:

	Tool deployment rate	Type of recording	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-12. Is electronic evidence admissible?

Admissibility of electronic evidence	Legislative framework
---	------------------------------

Civil and/or commercial	(X) Yes () No	(X) General law only () General and specialised law () Specialised law only [] NAP
Criminal	(X) Yes () No	(X) General law only () General and specialised law () Specialised law only [] NAP
Administrative	(X) Yes () No	(X) General law only () General and specialised law () Specialised law only [] NAP

Comments - Other devices of electronic communication between courts, professionals and/or users

3.6.Performance and evaluation

3.6.1National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

(X) Yes

() No

Comments - If yes, please specify:

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	(X) Yes () No
within the public prosecution services	() Yes (X) No

Comments

3.6.2Performance and quality objectives at court level/public prosecution services

077. Concerning court activities, have you defined performance and quality indicators?

(X) Yes

() No

Comments

078. If yes, please select the main performance and quality indicators that have been defined for courts:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments

077-1. Concerning public prosecution activities, have you defined performance and quality indicators?

Yes

No

Comments

078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments In February 2020, First national report for performance monitoring of the Public Prosecutor's of the Republic of North

Macedonia was published. This report was prepared according to the Methodology for performance monitoring of the Public Prosecutor's of the Republic of North Macedonia. Matrix is composed by 71 indicators grouped in five areas: efficiency (14 indicators), quality (19 indicators), independence (17 indicators), accountability (7 indicators) and transparency (14 indicators).

073. Do you have a system to evaluate regularly court performance based primarily on the defined indicators?

- Yes
- No

Comments

073-0. If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

Comments - If "Less frequent" or "More frequent", please specify:

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

- Yes
- No

Comments

073-2. If yes, which courses of action are taken?

- Identifying to the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance (treatment)
- Reengineering of internal procedures to increase efficiency (treatment)
- Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?

- Yes
- No

Comments

073-4. If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

Comments - If "less frequent" or "more frequent", please specify:

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation

of resources within this public prosecution service?

Yes

No

Comments

073-6. If yes, which courses of action are taken?

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment))

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

=

079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?

High Judicial Council

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify):

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?

Public Prosecutorial Council

Ministry of Justice

Head of the organisational unit or hierarchically superior public prosecutor

Prosecutor General /State public prosecutor

External audit body

Other (please specify):

Comments

3.6.3 Measuring courts' / public prosecution services activity

070. Do you regularly monitor court activities (performance and quality) concerning:

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- civil law cases
- criminal law cases
- administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

Yes (If yes, please specify)	No
------------------------------	----

within the courts	(X)	()
within the public prosecution services	(X)	()

Comments

3.6.4 Information regarding courts /public prosecution services activity

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

(X) Yes (please indicate the name and the address of this institution):

() No

Comments

080-1. Are the statistics on the functioning of each court published?

(X) Yes, on the internet

() No, only internally (on an intranet website)

() No

Comments

=

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

(X) Yes (please indicate the name and the address of this institution):

() No

Comments

080-3. Are the statistics on the functioning of each public prosecution service published?

(X) Yes, on the internet

() No, only internally (on an intranet website)

() No

Comments

=

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

(X) Yes

() No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

=

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-4. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

3.6.5 Courts administration

082. Is there a process or structure of dialogue between the public prosecution services and courts regarding the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify:

082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify:

3.6.6 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

Yes

No

Comments

083-1. Who is responsible for setting the individual targets for each judge?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):

NAP

Comments

114. Is there a system of qualitative individual assessment of the judges' work?

Yes

No

Comments Judges are evaluated by the Judicial Council within a period of 4 years (regular evaluation). Beside the mentioned procedure, there is an extraordinary evaluation. Extraordinary assessment of the work of the judge and president of the court is being made in case the judge applies for election to another court, to a higher instance court, election of a president of a court or member of the Council.

Procedure for evaluation of judges is defined in the Law on Judicial Council.

114-1. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

=

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

Yes

(X) No

Comments

083-3. Who is responsible for setting the individual targets for each public prosecutor

- Executive power (for example the Ministry of Justice)
- Prosecutor General /State public prosecutor
- Public Prosecutorial Council
- Head of the organisational unit or hierarchically superior public prosecutor
- Other (please specify):
- NAP

Comments

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

- (X) Yes
- () No

Comments

120-1. If yes, please specify the frequency of this assessment:

- () Annual
- (X) Less frequent
- () More frequent

Comments Article 36

The regular evaluation of the performance of the public prosecutors shall be carried out for a period of four reporting years, until the end of June of the current year, for the work of the public prosecutor in the previous four years.

If the public prosecutor has been absent for more than 2/3 of the time for which they are to be assessed, they shall not be assessed for that period. The evaluation period shall start from the beginning after the public prosecutor's return to work.

The extraordinary evaluation of the performance of the public prosecutor shall be carried out in case when the public prosecutor is running for a higher public prosecutor's office, for a public prosecutor of a public prosecutor's office, for a public prosecutor in the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption or for a member of the Council of Public Prosecutors of the Republic of North Macedonia.

If the public prosecutor is running for a higher public prosecutor's office or for a public prosecutor of a public prosecutor's office, in the current year for the previous year for which they have already been evaluated by regular evaluation, then their extraordinary evaluation shall not be carried out.

The evaluation score of the performance of public prosecutors in the Public Prosecutor's Office of the Republic of North Macedonia, the higher public prosecutors of the higher public prosecutor's offices and the basic public prosecutor of the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption shall be provided by the Chief Public Prosecutor of the Republic of North Macedonia.

The evaluation score of the performance of public prosecutors in the higher public prosecutor's offices and of the basic public prosecutors of the basic public prosecutor's offices shall be provided by the higher public prosecutor of that prosecutor's office.

The evaluation score of the performance of public prosecutors in the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption shall be provided by the basic public prosecutor of that prosecutor's office.

The evaluation score of the performance of the public prosecutors in the basic public prosecutor's offices shall be provided by the higher public prosecutor upon previously obtained opinion of the basic public prosecutor of that prosecutor's office.

The evaluation of the performance of the public prosecutor may be positive or negative.

C4. Please indicate the sources for answering the questions in this part

Sources:

4. Fair trial

4.1. Principles

4.1.1 Principles of fair trial

084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?

[9]

[] NA

[] NAP

Comments - Please add methodology for calculation used. Only cases where prosecuted person is not available for state organs (escape from the country).

085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?

(X) Yes

() No

Comments - Please could you briefly specify:

085-1. If yes, what is the ratio between the total number of initiated procedures and the total number of recusals pronounced (in the reference year):

[96]

[] NA

Comments In 2020 there were 2363 requests for exemption of judges while in the same year there were 2277 decisions for exemptions of judges.

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

[X] For civil procedures (non-enforcement)

[X] For civil procedures (timeframe)

[X] For criminal procedures (timeframe)

[] NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations):

086-1. 1 Is there in your country a possibility to review a case after a finding of a violation of the

European Convention on Human Rights by the European Court of Human Rights?

Yes

No

NAP

Comments There are such kind of provisions in procedural laws (Law on Criminal Procedure, Law on Civil Procedure and the Law on Administrative Disputes).

D1. Please indicate the sources for answering the questions in this part

Sources: Courts and Ministry of Justice

4.2. Timeframe of proceedings

4.2.1 General information

087. Are there specific procedures for urgent matters regarding:

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

civil cases

criminal cases

administrative cases

Comments - If yes, please specify:

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

Yes

Comments - If yes, please specify:

4.2.2 Case flow management – first instance**091. First instance courts: number of other than criminal law cases.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	28 718 [] NA [] NAP	78 630 [] NA [] NAP	75 840 [] NA [] NAP	31 508 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	21 188 [] NA [] NAP	34 272 [] NA [] NAP	30 702 [] NA [] NAP	24 758 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	2 167 [] NA [] NAP	37 525 [] NA [] NAP	37 774 [] NA [] NAP	1 918 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	2 163 [] NA [] NAP	37 491 [] NA [] NAP	37 740 [] NA [] NAP	1 914 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	4 [] NA [] NAP	34 [] NA [] NAP	34 [] NA [] NAP	4 [] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	4 [] NA [] NAP	34 [] NA [] NAP	34 [] NA [] NAP	4 [] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	4 707 [] NA [] NAP	6 009 [] NA [] NAP	6 597 [] NA [] NAP	4 119 [] NA [] NAP	[X] NA [] NAP

4. Other cases	656 <input type="checkbox"/> NA <input type="checkbox"/> NAP	824 <input type="checkbox"/> NA <input type="checkbox"/> NAP	767 <input type="checkbox"/> NA <input type="checkbox"/> NAP	713 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
-----------------------	--	--	--	--	--

Comments In "2.2.3. Other registry cases" there are included cases for registrations of political parties.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. In "non-litigious cases" are included: non-disputable cases and division of property.

093. Please indicate the case categories included in the category "other cases":

. In other cases are included bankruptcy and liquidation cases.

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	32 372 <input type="checkbox"/> NA <input type="checkbox"/> NAP	57 763 <input type="checkbox"/> NA <input type="checkbox"/> NAP	56 642 <input type="checkbox"/> NA <input type="checkbox"/> NAP	33 493 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	4 374 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 225 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 424 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 175 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	27 998 <input type="checkbox"/> NA <input type="checkbox"/> NAP	43 538 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 218 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 318 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify In the numbers on this question are not included cases connected with enforcement of criminal (and misdemeanor) cases.

4.2.3 Case flow management – second instance

097. Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	8 489 [] NA [] NAP	15 245 [] NA [] NAP	17 610 [] NA [] NAP	6 124 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	6 948 [] NA [] NAP	12 764 [] NA [] NAP	14 652 [] NA [] NAP	5 060 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	1 541 [] NA [] NAP	2 481 [] NA [] NAP	2 958 [] NA [] NAP	1 064 [] NA [] NAP	[X] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other cases" please specify

098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	2 846 [] NA [] NAP	5 531 [] NA [] NAP	5 761 [] NA [] NAP	2 616 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	578 [] NA [] NAP	2 333 [] NA [] NAP	2 170 [] NA [] NAP	741 [] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	2 268 [] NA [] NAP	3 198 [] NA [] NAP	3 591 [] NA [] NAP	1 875 [] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify.

4.2.4 Case flow management – Supreme Court



099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	1 101 [] NA [] NAP	1 342 [] NA [] NAP	1 637 [] NA [] NAP	806 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	918 [] NA [] NAP	955 [] NA [] NAP	1 233 [] NA [] NAP	640 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				
3. Administrative law cases	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	177 <input type="checkbox"/> NA <input type="checkbox"/> NAP	371 <input type="checkbox"/> NA <input type="checkbox"/> NAP	392 <input type="checkbox"/> NA <input type="checkbox"/> NAP	156 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases", please specify Other cases - trial in reasonable time

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

() Yes, please indicate the number of cases closed by this procedure:

(X) No

Comments

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	154 <input type="checkbox"/> NA <input type="checkbox"/> NAP	912 <input type="checkbox"/> NA <input type="checkbox"/> NAP	929 <input type="checkbox"/> NA <input type="checkbox"/> NAP	137 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

1. Severe criminal cases	154 [] NA [] NAP	912 [] NA [] NAP	929 [] NA [] NAP	137 [] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[] NA [X] NAP			
3. Other criminal cases	[] NA [X] NAP	[] NA [X] NAP			

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories.. If “Other criminal cases”, please specify Decrease of pending cases on 1 Jan. ref. year due to increased efficiency in previous year.

Increase of incoming cases, resolved cases and decrease of pending cases: result of new appointed judges.

Supreme Court deals with misdemeanor cases only upon the request for protection of legality and requests for repetition of the criminal procedure. However, the number of this kind of cases is negligible.

4.2.5 Case flow management and timeframes – specific cases

101. Number of specific litigious cases received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
Litigious divorce cases	1 359 [] NA [] NAP	3 582 [] NA [] NAP	3 279 [] NA [] NAP	1 647 [] NA [] NAP	[X] NA [] NAP
Employment dismissal cases	6 471 [] NA [] NAP	9 330 [] NA [] NAP	7 387 [] NA [] NAP	8 438 [] NA [] NAP	[X] NA [] NAP
Insolvency	648 [] NA [] NAP	823 [] NA [] NAP	764 [] NA [] NAP	691 [] NA [] NAP	[X] NA [] NAP
Robbery case	862 [] NA [] NAP	1 643 [] NA [] NAP	1 443 [] NA [] NAP	1 069 [] NA [] NAP	[X] NA [] NAP
Intentional homicide	40 [] NA [] NAP	51 [] NA [] NAP	60 [] NA [] NAP	31 [] NA [] NAP	[X] NA [] NAP

Comments The reason for difference from previous cycle is due to the fact that during state of emergency for Corona crisis, courts were dealing mainly with urgent cases. In criminal cases that were the cases where convicted person was detained, cases on certain criminal offences connected to health situation etc. One of the adopted regulations is the Regulation with legal force for the deadlines in the court proceedings during the state of emergency and the actions of the courts and public prosecutor's offices ("Official Gazette of RNM no. 84/20") and the Regulation with legal force for amending the regulation with legal force for the deadlines in court proceedings during the state of emergency and the actions of the courts and public prosecutor's offices ("Official Gazette of RNM no. 89/20"). The Regulation refers to the legal deadlines in the proceedings before the public prosecutor's offices and the courts.

Pursuant to the cited regulation, the legal and preclusive deadlines for filing a lawsuit in litigation, for a private lawsuit in criminal procedure, proposal for criminal prosecution, proposal for initiating a non-litigation procedure, submission of a request for forced enforcement, procedure for securing claims, lawsuit for initiating administrative dispute, initiation of another court procedure, cease to function at the moment of entry into force of this Regulation until the termination of the state of emergency.

=

101-0. Number of procedures/cases relating to asylum seekers and to the right of entry and stay for

aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
Non-court procedures relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	211 <input type="checkbox"/> NA <input type="checkbox"/> NAP	193 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Non-court procedures relating to the right of entry and stay for aliens	<input type="checkbox"/> NA <input type="checkbox"/> NAP	8 433 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 721 <input type="checkbox"/> NA <input type="checkbox"/> NAP	578 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	64 <input type="checkbox"/> NA <input type="checkbox"/> NAP	62 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Court cases relating to the right of entry and stay for aliens	<input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. This matter is regulated in the Law on Administrative disputes and the Law on international and temporary protection. The procedure for recognizing the right of asylum in first instance (administrative procedure - regular or urgent) is conducted by the Sector for asylum in the Ministry for Interior. Upon the decision of the Sector for asylum, the asylum seeker has a right to initiate administrative dispute to the Administrative Court according to the Law on administrative disputes. On the judgement of Administrative Court asylum seeker has a right for appeal to the High Administrative Court. The initiation of administrative dispute delay the execution of the decision.

The asylum seeker (article 61), as well as the the persons with acknowledge status (recognized refugee (article 67)) and persons with subsidiary protection (article 76)) have a right of residence on the territory of the State. An entry is enable for each foreigner who seeks international protection from the State, but the asylum seeker is obliged to submit request for recognizing the right of asylum. Asylum seeker is a foreigner who requests protection from the State and have submitted request for recognizing the right of asylum, for which a criminal judgment has not been enacted, in the procedure for recognizing the right of asylum.

101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court

Child sexual abuse	39 [] NA [] NAP	46 [] NA [] NAP	42 [] NA [] NAP	43 [] NA [] NAP	[X] NA [] NAP
Child pornography	0 [] NA [] NAP	2 [] NA [] NAP	0 [] NA [] NAP	2 [] NA [] NAP	[X] NA [] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: Under the category "Child sexual abuse" there are included following criminal offenses from Criminal Code: Art. 186 p.2, Art. 187 p. 2, Art 187 p. 4 in relation to p. 2, Art 188, Art 189 p. 2, Art 193-b, Art 194 p. 2.

Under the category "Child pornography" there is included Art 193 from Criminal Code.

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	_____ Max numeric value allowed : 100 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Litigious divorce cases	_____ Max numeric value allowed : 100 15 [] NA [] NAP	143 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Employment dismissal cases	_____ Max numeric value allowed : 100 44 [] NA [] NAP	188 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Insolvency cases	_____ Max numeric value allowed : 100 5 [] NA [] NAP	192 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Robbery cases	_____ Max numeric value allowed : 100 49 [] NA [] NAP	370 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP

Intentional homicide cases	Max numeric value allowed : 100	177				
	70	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	Max numeric value allowed : 100 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments There are some variations in the average length of cases in 1st instance (in days) which cannot be explained due to this data being collected manually with all courts within North Macedonia.

103. Where appropriate, please indicate the specific procedure regarding divorce cases (litigious and non-litigious):

. The Law on civil procedure is applied in divorce cases. In addition to that in the Law on the Family there is special part (five articles) dedicated to divorce of marriage, but it does not contain provisions regarding the court procedure.

104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. Length of procedure in days divided with total number of cases in the court in 2020

4.2.6 Case flow management – public prosecution



105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers (please specify):

Comments

106. Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify: In Article 49 from the Law on administrative disputes is prescribed that public prosecutor has right to submit the request for protection of legality.

In Article 6 of the Law on Public prosecution office is prescribed that in civil and other court proceedings, as well as in administrative proceedings, the public prosecutor undertakes legal actions for which he is authorized by law.

107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
1.Pending cases on 1 Jan. ref. year	15 790 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2.Incoming/received cases	32 164 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.Processed cases (3.1+3.2+3.3+3.4)	31 335 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	16 995 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	8 193 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	7 880 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	922 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.4 Discontinued for other reasons	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	179 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.3.Cases closed by the public prosecutor for other reasons	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.4.Cases brought to court	14 161 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4.Pending cases on 31 Dec. ref. year	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
Total number of guilty plea procedures	179 [] NA [] NAP	179 [] NA [] NAP	[] NA [X] NAP
Before the main trial	179 [] NA [] NAP	179 [] NA [] NAP	[] NA [X] NAP
During the main trial	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments Taking into account the increased danger of the spread of the Corona pandemic, the COVID-19 virus, the Public Prosecutor of the Republic of North Macedonia, based on Articles 20 and 25 of the Law on Public Prosecution, on March 14, 2003, issued a Compulsory Instruction obliging the Public Prosecutors of the Higher Public Prosecution Offices and the Public Prosecutors of the Basic Public Prosecutions to organize the performance and the function of the Public Prosecutor's Office in a way that in dealing with them they are given priority and the criminal charges related to criminal offenses are immediately taken into account and are processed :

Transmission of infectious disease pursuant to Article 205 of the Criminal Code, Failure to act in accordance with the health regulations during an epidemic under Article 206 of the Criminal Code, Unconscientious treatment of patients pursuant to Article 207 of the Criminal Code, Article 382 of the Criminal Code, Attack on an official while performing security duties under Article 383 of the Criminal Code, Organizing resistance pursuant to Article 387 of the Criminal Code, criminal charges by competent institutions regarding decisions, measures and recommendations by other competent institutions for dealing with the emergency condition and the spread of coronavirus COVID-19.

The guidelines stipulate that the public prosecutor of the public prosecutor's office determines and approves which specific tasks can be performed outside the official premises, for which records are kept, and the performance of homework is calculated as time spent at work. Failure to comply with the enforcement rules entails disciplinary action.

The Public Prosecutor of the Public Prosecutor's Office, given the new situation, approves which actions are not urgent and will not be performed during this period, but after the creation of regular conditions for their taking over.

The instructions contain rules for the entry of the parties in the facilities, disinfection measures and health care in accordance with the recommendations.

For specially endangered areas, such as Debar and Centar Zupa, Kicevo and Gostivar, the Public Prosecutor of the Public Prosecutor's Office of the Republic of North Macedonia adopted a separate mandatory guideline for actions of the basic Public Prosecutor's Offices.

109. Do the figures provided in Q107 include traffic offence cases?

(X) Yes

() No

Comments There are included only this traffic offences that are defined as a criminal offences in the Criminal Code and not these traffic offences defined as misdemeanors.

D2. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice
Judicial Council, Courts
Public Prosecution Office

5.1. Recruitment and promotion

5.1.1 Recruitment and promotion of judges

110. How are judges recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify):

Comments All judges are elected by the Judicial Council. Judges in basic courts are appointed by the Judicial Council from the candidates which have finished initial training in the Academy for Judges and public prosecutors.

111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career recruited and nominated by:

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges
- Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: The Academy for judges and public prosecutors is responsible for conducting the initial training.

Judges in basic courts are appointed by the Judicial Council from the candidates which have finished initial training in the Academy for Judges and public prosecutors. Judges in higher courts are also appointed by Judicial Council.

111-1. How many members compose this authority?

	Total	Male	Female
Members	15	9	6
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing its members? (1) The Council shall consist of 15 members, out of whom: -the president of the Supreme Court of the Republic of North Macedonia and the Minister of Justice shall be ex officio members; -eight members of the Council shall be elected by the judges from among their ranks, three of the elected members shall be members of the communities that are not in majority in the Republic of North Macedonia, where the principle of equitable representation of citizens belonging to all the communities shall be observed; -the Assembly of the Republic of North Macedonia shall elect three members of the Council with a majority of votes from the total number of representatives, wherefore there has to be majority of votes of the representatives belonging to the communities that are not in majority in the Republic of North Macedonia, and -two members of the Council shall be proposed by the president of the Republic of North Macedonia and elected by the Assembly of the Republic of North Macedonia, one of whom shall be a member of the communities that are not in majority in the Republic of North Macedonia. (2) Members of the Council by function participate in the work of the Council without the right to vote. (3) Members of the Council by function shall not participate in the work of the Council sessions on which initiated procedure for determining responsibility, election or dismissal of a judge or president of a Court are being discussed and decided upon.

111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- (X) Yes

No

Comments – please specify which body is competent to decide on appeal? The candidate who is not selected as a judge shall have the right to appeal in front the Appeal Council at the Supreme Court of the Republic of North Macedonia within a period of eight days as of the day of receipt of the information in a way and procedure prescribed by this law.

112. Is the same authority (Q111) competent for the promotion of judges?

Yes

No

Comments Judges in higher courts are also appointed by Judicial Council.

113. What is the procedure for the promotion of judges? (multiple answers possible)

Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination):

Criteria for the election of a judge of a higher court Article 48

(1)The Council shall select a judge in an Appellate Court, the Administrative Court, the Higher Administrative Court and the Supreme Court of the Republic of North Macedonia from among the candidates who have applied to the announcement and who meet the requirements and criteria anticipated by the Law on Courts and this Law in a manner that it shall rank the candidates that have applied according to the necessary specialization for filling a judge's position.

(2) The Council shall select as a judge the person of highest expert and professional qualities, with good reputation in exercising his judicial office, on the base of the following criteria: 1) expert knowledge and specialization in the field and participation in continuous training; 2)positive evaluation of his work 3)capability in verbal and written expression, which can be seen through prepared decisions and judiciary expert actions

4)undertaking additional work when performing judicial office by participating in procedures to resolve backlog of cases; 5)undertaking additional work when performing judicial office by means of mentorship, education, and alike;

6)length of judicial service. (3) If the candidate is from among the judges, the Council shall obtain an opinion from the court.

(4) The president of court on the base of the held session of judges shall deliver the opinion to the Council. (5) The manner of the candidates' ranking is regulated by the Council with a by-law. (6) The ranking will be done by the commission consisted of three members of Council selected by lot.

113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

Criteria for the election of a judge of a higher court Article 48

(1)The Council shall select a judge in an Appellate Court, the Administrative Court, the Higher Administrative Court and the Supreme Court of the Republic of North Macedonia from among the candidates who have applied to the announcement and who meet the requirements and criteria anticipated by the Law on Courts and this Law in a manner that it shall rank the candidates that have applied according to the necessary specialization for filling a judge's position.

(2) The Council shall select as a judge the person of highest expert and professional qualities, with good reputation in exercising his judicial office, on the base of the following criteria: 1) expert knowledge and specializations in the field and participation in continuous

training; 2) positive evaluation of his work 3) capability in verbal and written expression, which can be seen through prepared decisions and judiciary expert actions
4) undertaking additional work when performing judicial office by participating in procedures to resolve backlog of cases; 5) undertaking additional work when performing judicial office by means of mentorship, education, and alike;
6) length of judicial service. (3) If the candidate is from among the judges, the Council shall obtain an opinion from the court.
(4) The president of court on the base of the held session of judges shall deliver the opinion to the Council. (5) The manner of the candidates' ranking is regulated by the Council with a by-law. (6) The ranking will be done by the commission consisted of three members of Council selected by lot.

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- Has an independent status as a separate entity among state institutions
- Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the executive power (without functional independence)
- Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the judicial power (without functional independence)
- Is a mixed model (please explain)
- Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if "mixed model" or "other", please specify. In the Constitution public prosecutors are defined as "Samostojni". This term is similar to term "independent".

115-1. Does the law or other regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?

- Yes
- No

Comments - If yes, please specify:

115-2. If you answered "Yes" to Q115-1, are there exceptions provided by the law/regulations?

- Yes
- No

Comments - Please describe these exceptions:

115-3. If you answered "No" to Q115-1, which authority can issue the specific instructions?

- General Prosecutor
- Higher prosecutor/Head of prosecution office
- Executive power
- Other

Comments - If "Other", please specify:

115-4. What form these instructions may take?

- Oral instruction

- Oral instruction with written confirmation
- Written instruction
- Other
- NAP

Comments - If "Other", please specify:

115-5. In that case, are the instructions:

- Issued seeking prior advice from the competent public prosecutor
- Mandatory
- Reasoned
- Recorded in the case file
- Other
- NAP

Comments - If "Other", please specify:

115-6. What is the frequency of this type of instructions:

- Exceptional
- Occasional
- Frequent
- Systematic
- NAP

Comments

115-7. Can the public prosecutor oppose/report an instruction to an independent body?

- Yes
- No
- NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions. The Chief Public Prosecutor of the Republic of North Macedonia and the public prosecutors of the public prosecutor's offices may not issue instructions and directions concerning the work on specific cases of the public prosecutors.

116. How are public prosecutors recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify):

Comments According to the Amendments of the Constitution of the Republic of Macedonia adopted in 2005, public prosecutors except State Public Prosecutor are appointed by the Council of public prosecutors. Public prosecutor in a basic public prosecutor's office may be a person who has completed training determined by the Law on the Academy for Judges and Public Prosecutors.

117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:

- An authority composed of public prosecutors only
- An authority composed of non-public prosecutors only
- An authority composed of public prosecutors and non-public prosecutors
- Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: Council of public prosecutors

117-1. How many members compose this authority?

	Total	Male	Female
Members	11	9	2
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments - Please specify what is the status of this authority and who is proposing its members? Composition of the Council Article 6

The Council shall consist of 11 members, of which:

- The Chief Public Prosecutor of the Republic of Macedonia and the Minister of Justice shall be ex officio members;
- One member of the Council shall be elected by the public prosecutors in the State public prosecution offices from within their ranks;
- Public prosecutors from the districts of the Higher Public Prosecution Offices in Bitola, Gostivar, Skopje and Shtip shall elect one Council member each, from within their ranks;
- One member of the Council, a member of a community that does not constitute a majority in the Republic of Macedonia, shall be elected by all public prosecutors in the Republic of Macedonia, from within their ranks; and
- four members of the Council are elected by the Assembly of the Republic of the North Macedonia, from the rank of university law professors, lawyers, former Constitutional Court judges, international judges and other prominent lawyers, two of whom are community members who are not the majority in the Republic of Northern Macedonia.

117-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- Yes
- No

Comments - Please specify which body is competent to decide on appeal?

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

- Yes
- No, please specify which authority is competent for promoting public prosecutors

Comments Public Prosecutors in higher public prosecution offices are appointed by the Council of public prosecutors.

119. What is the procedure for the promotion of prosecutors? (multiple answers possible)

- Competitive test / exam
- Other procedure (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination):

119-2. Please indicate the criteria used for the promotion of a prosecutor:

- Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):
Article 62

(1) Specific conditions for the election of the Chief Public Prosecutor of the Republic of North Macedonia, a public prosecutor in the Public Prosecutor's Office of the Republic of North Macedonia, a higher public prosecutor of a higher public prosecutor's office, a public prosecutor in a higher public prosecutor's office, the Basic Public Prosecutor of the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption, a basic public prosecutor in the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption, a basic public prosecutor of a basic public prosecutor's office and a basic public prosecutor in a basic public prosecutor's office apart from the requirements of Article 61 of this Law are:

-Chief Public Prosecutor of the Republic of North Macedonia may be a person with continuous years of service of at least ten years as a public prosecutor or as a judge in the field of criminal law,

-public prosecutor in the Public Prosecutor's Office of the Republic of North Macedonia may be a person with at least eight years of continuous years of service in a higher public prosecutor's office or the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption and who has received a positive evaluation score in the last four years,

-higher public prosecutor of a higher public prosecutor's office may be a person with continuous years of service as a public prosecutor of at least eight years until the date of application for appointment and who has received a positive evaluation score in the last four years,

-public prosecutor in a higher public prosecutor's office may be a person with continuous years of service as a public prosecutor of at least six years until the date of application for appointment and who has received a positive evaluation score in the last four years,

-Basic Public Prosecutor of the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption may be a person with continuous years of service of at least six years as a public prosecutor until the date of application for appointment and who has received a positive evaluation score in the last three years,

-basic public prosecutor in the Basic Public Prosecutor's Office for Prosecution of Organized Crime and Corruption may be a person with continuous years of service of at least four years as a public prosecutor until the date of application for appointment and who has received a positive evaluation score in the last two years,

5.1.3 Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred to another court without his/her consent:

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments

125-1. Is it renewable?

Yes

No

[X] NAP

Comments

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments

126-1. Is it renewable?

Yes

No

[X] NAP

Comments

E1. Please indicate the sources for answering the questions in this part

Sources:

5.2. Training

5.2.1 Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in a court)	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for the use of computer facilities in courts	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on ethics	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on child-friendly justice	(X) Yes () No	() Yes (X) No	() Yes (X) No

Comments Defined in the program for continuous training conducted by the Academy for judges and prosecutors.

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for management functions of the court (e.g. court president)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed

In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: Defined in the program for initial training conducted by the Academy for judges and prosecutors.

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on ethics	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: All events are organized according to the program for continuous training conducted by the Academy for judges and prosecutors.

5.2.3 Training institutions

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
Institution(s) for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments Academy for judges and public prosecutors is a institution responsible for conducting the initial and continuous training for judges and public prosecutors.

131-0. If yes, what is the budget of such institution(s)?

	Budget of the institution(s) for the reference year, in €
Institution(s) for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for both judges and prosecutors	735 500 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The approved budget of the Academy of judges and public prosecutors decreased because in 2019, were planned more money for seventh generation of candidates on the Academy, but at the end it was concluded that less money are enough for the number of candidates that enter in the seventh generation. Because of that on the end of 2019, implementation of the budget was 757.941 euros. Approximately, according to this amount was made and the new budget in 2020, having in mind that in 2020 there wasn't a new generation on the Academy.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. NAP

5.2.4 Number of trainings



131-2. Number of in-service training courses available and delivered (in days) by the public institution(s) responsible for training

	Number of in-person training courses available	Number of delivered in-person training courses in days	Online training courses available during the reference year (e-learning)
Total	211 [] NA [] NAP	42 [] NA [] NAP	9 [] NA [] NAP
1. For judges	168 [] NA [] NAP	36 [] NA [] NAP	8 [] NA [] NAP
2. For prosecutors	94 [] NA [] NAP	20 [] NA [] NAP	7 [] NA [] NAP
3. For other non-judge staff	12 [] NA [] NAP	2 [] NA [] NAP	9 [] NA [] NAP
4. For other non-prosecutor staff	12 [] NA [] NAP	2 [] NA [] NAP	9 [] NA [] NAP
5. Training for other professionals	16 [] NA [] NAP	1 [] NA [] NAP	[X] NA [] NAP

Comments – please specify if there are training courses of judges and/or prosecutors that include other professionals in the field of justice. In 2020, because of COVID 19 situation most of the trainings which were planned to be delivered in person, were delivered on line. From a total of 121 delivered trainings, 79 were delivered online (74 trainings for judges, 49 trainings for prosecutors, 0 for non-judge staff and non prosecutor staff and 6 for other categories).

Because we don't have separate row for common trainings, in the total number of 211 available trainings in 2020, are included 79 which were planned to be common trainings for judges and public prosecutors. According to the system on the Academy for judges and public prosecutors, the trainings are common for non-judge and non-prosecutor staff and the days of training are therefore reflected under both categories. In the column on line training courses available in 2020, by the Academy were organized a total of 9 common on line trainings for judges, prosecutors, non-judge staff and non prosecutor staff. From this 9 trainings, on 8 trainings participate judges, on 7 trainings participate public prosecutors, on all 9 trainings participate non-judge and non-prosecutor staff. For the numbers of participants please see the answer on Q131-3.

The total number of trainings in 2020 in comparison with 2019 decreased because of the COVID 19 situation.

131-3. Number of participants of the training courses during the reference year

	Number of participants in in-person training courses	Number of participants in online training courses (e-learning)
Total	953 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 888 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judges	384 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 008 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Prosecutors	150 <input type="checkbox"/> NA <input type="checkbox"/> NAP	497 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-prosecutor staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other professionals	211 <input type="checkbox"/> NA <input type="checkbox"/> NAP	235 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The Academy usually organizes common trainings for judges, prosecutors, non-judge and non-prosecutor staff. Some of those participants cannot be differentiated (between non-judge and non-prosecutor staff) and those categories are therefore answered as "NA". 370 non-differentiated non-judge and non-prosecutor staffs participated on trainings (208 with physical presence and 162 participated online). In 2020, only 2 separate trainings were realized for the non-judge and non-prosecutor staff with physical presence, whereby a total of 56 non-judge and non-prosecutor staff participated, out of which 27 for non-judge and 29 for non-prosecutor staff, which are included in the total number of 370.

5.3.Practice of the profession

5.3.1Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	16 700 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 981 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 030 225 <input type="checkbox"/> NA <input type="checkbox"/> NAP	677 466 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	22 687 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 861 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 399 572 <input type="checkbox"/> NA <input type="checkbox"/> NAP	916 792 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	17 319 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 383 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 065 156 <input type="checkbox"/> NA <input type="checkbox"/> NAP	700 104 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	22 120 [] NA [] NAP	14 494 [] NA [] NAP	1 360 392 [] NA [] NAP	891 408 [] NA [] NAP
--	-----------------------------	-----------------------------	--------------------------------	------------------------------

Comments The annual salaries of judges are lower in 2020 in comparison to 2019, because in 2019 a higher amount of allowances has been paid on judges for the previous years. That type of allowances has not been paid in 2020.

Salaries of judges and public prosecutors are regulated in the Law on salaries for judges and the Law on salaries for public prosecutors.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	() Yes (X) No	() Yes (X) No
Housing	(X) Yes () No	(X) Yes () No
Other financial benefit	(X) Yes () No	(X) Yes () No

Comments

134. If “other financial benefit”, please specify:

. In 2015 and 2018 the Parliament adopted amendments on The Law on judge` s salaries and on the Law on public prosecutor` s salaries. These two laws introduced additional financial benefits for judges and public prosecutors for work under special conditions, work on confidence cases and for security risks.

[] NAP

=

135. Can judges combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No

Cultural function	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Mediator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

137. Can public prosecutors combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Research and publication	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Arbitrator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Consultant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cultural function	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Mediator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify: Law on Public prosecution office (2020)

Article 71

(1) A public prosecutor may be an educator or hold lectures at the Academy for Training of Judges and Public Prosecutors, teach at the higher education institutions in the public prosecutorial field and participate in scientific and professional projects in that area. (2) A public prosecutor may teach at the higher education institutions in the public prosecutorial field and participate in scientific and professional projects in that area, after a prior accord provided by the Chief Public Prosecutor of the Republic of North Macedonia, and the Chief Public Prosecutor of the Republic of North Macedonia may act so after a prior accord provided by the Council of Public Prosecutors of the Republic of North Macedonia.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

Yes

No

Comments - If yes, please specify the conditions and if possible the amounts:

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)

Yes

No

Comments

138-1. If yes, who are the members of this institution/body?

Only judges

Judges and other legal professionals

Other, please specify:

Comments

138-2. Are the opinions of this institution / body publicly available?

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

Yes

No

Comments

138-4. If yes, who are the members of this institution/body?

Only prosecutors

Prosecutors and other legal professionals

Other, please specify:

Comments

138-5. Are the opinions of this institution / body publicly available?

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

5.4. Disciplinary procedures

5.4.1 Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court
- Disciplinary body (disciplinary prosecutor, investigator etc.)
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body (disciplinary prosecutor, investigator etc.)
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments Law on Public Prosecution office (2020)

Article 93

(1) The proceedings for establishment of liability of public prosecutors for committed disciplinary infringement shall be conducted upon annotated proposal of the Chief Public Prosecutor of the Republic of North Macedonia for all public prosecutors, and upon annotated proposal of a Higher Public Prosecutor of a Higher Public Prosecutor’s Office for public prosecutors in a Higher Public Prosecutor’s Office, or the Basic Public Prosecutor of the Basic Public Prosecutor’s Office for public prosecutor in a basic public prosecutor’s office, ex officio or after obtained information on committed infringement. The applicant shall submit proofs for committed disciplinary infringement accompanying the proposal for initiation of disciplinary proceeding. Proceeding for establishment of public prosecutors’ liability for committed disciplinary infringement shall be initiated within six months as from the day of becoming aware of the committed infringement, but no later than three years from the day when the infringement was committed.

142. Which authority has disciplinary power over judges? (multiple replies possible)

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple replies possible)

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments Law on Public Prosecution office (2020)

Article 93

(2)The proceedings for establishment of the public prosecutor’s liability for committed disciplinary infringement in the exertion of the public prosecutorial office shall be led by a committee, composed of five members or their deputies, one of each higher public prosecutor’s offices and one member from the PPO of the Republic of North Macedonia, elected by the college in the respective prosecutor’s offices. A member or a deputy member of the committee shall be exempt if they are the applicants of the proposal.

(3)Prior to initiating a proceeding, the committee, after the receipt of the application, without any delays, shall request from the public prosecutor against which the proposal for initiating a proceeding has been submitted, to state their comments on the allegations in the proposal, in a written form, within five days of the notification.

(4)If the committee finds that there are no reasonable doubts for committed disciplinary infringement by the public prosecutor, it shall conclude that no proceeding will be initiated.

(5)If the committee finds that the proposal is grounded, it shall adopt a decision for initiation of a disciplinary proceeding.

(6)The public prosecutor against whom disciplinary proceeding is initiated shall be entitled to be heard before the Committee for establishing disciplinary responsibilities in a presence of a defense attorney, as well as to propose proofs in their own favour.

(7)If the Committee, with a majority of votes from the total number of its members, finds that disciplinary infringements has been committed, it shall adopt a decision and impose one of the prescribed sanction in Article 95 paragraph (1) indents 1 and 2, and paragraph (2) indent 1 of this Law.

(8)Committee members shall start voting form the more serious to milder ones when they vote on the type of disciplinary measures.

(9)The voting shall stop when a decision to impose disciplinary measure has been adopted.

(10)In the event when after the voting on each disciplinary measure no decision has been adopted with a majority of the total number of Committee members, the voting shall not be repeated, unless a total number of members submitted a proposal to repeat the voting for one of the measures, at the same session.

(11)If the majority of the Committee members consider that evidence for the existence of grounds for dismissal of a public prosecutor has been presented during the procedure, then, they may propose such dismissal to the Council of the Public Prosecutors of the Republic of

North Macedonia, and the proposal shall also be submitted to the public prosecutor against whom the proceeding is initiated. Public prosecutor shall be entitled to an appeal against the proposal for their dismissal to the Council of the Public Prosecutors of the Republic of North Macedonia, within seven days from the submission of the proposal.

5.4.2 Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	122 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	122 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify:

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Temporary reduction of salary	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

6. Position downgrade	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
7. Transfer to another geographical (court) location	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
9. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
10. Dismissal	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. In 2020 five judges were dismissed with a final decision and for one judge JC issued a reprimand.

E3. Please indicate the sources for answering the questions in this part

Sources: Judicial Council and Council of Public Peosecutors

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	2 864 <input type="checkbox"/> NA	1 435 <input type="checkbox"/> NA	1 429 <input type="checkbox"/> NA

Comments

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[] NA
[X] NA

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Dismissal cases	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Defendant	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Victim	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights: This matter is regulated in procedural laws. According to the Article 71 from the Law on criminal procedure, only a licensed attorney may act as a counsel for the defense.

Law on Civil procedure

Article 81

(1) An authorized representative of the party may be:

- attorney

- person – graduated lawyer who is employed by the party

- blood relative in the straight line, brother, sister or a spouse - if it has full legal capacity

(2) If a person appears as an authorized agent, contrary to the provisions from paragraph (1) of this Article, the court shall pass a decision with which it shall deny that person any further representation and shall inform the party about that.

(3) A separate appeal against the decision from paragraph (2) of this Article shall not be allowed.

Article 82

If value of the case exceeds 1.000.000 denars, the authorized agents of the legal entity

can be the graduate lawyer with the passed bar exam who is employed by the legal entity.

149-0. If other than lawyers may represent a client in court, please specify who:

First instance	Second instance	Highest instance court (Supreme Court)

Civil society organisation	() Yes (X) No	() Yes (X) No	() Yes (X) No
Family member	(X) Yes () No	(X) Yes () No	(X) Yes () No
Self-representation	(X) Yes () No	(X) Yes () No	(X) Yes () No
Trade union	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s):

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other law activities (please specify):

Comments

149-2. What are the statuses for exercising the profession of lawyer?

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments According to the Article 33 from the Law on the Bar, lawyers are organised in the Bar Chamber. This Chamber is independent.

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- Yes
- No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees: The Bar Exam is one of the conditions to become a lawyer.

152. Is there a mandatory general in-service professional training system for lawyers?

Yes

No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify: There is special exam foreseen for representation in proceedings for protection of intellectual rights and industrial property.

F1. Please indicate the sources for answering the questions in this part

Sources: The Bar Chamber

6.1.2 Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments The Lawyers Tariff is available on the web site of The Bar Chamber. <https://mba.org.mk/index.php/mk/akti/advokatska-tarifa>

155. Are lawyers' fees freely negotiated?

Yes

No

Comments According to the Article 1 of the Lawyers Tariff, the lawyer and the party can freely negotiate fees, but not less than that prescribed in the Tariff.

156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments All lawyers fees are defined in the Lawyers Tariff. For each kind of lawyer's activity (action) is prescribed different fee.

6.1.3 Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

() Yes

(X) No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

[] the bar association

[] the Parliament

[] other (please specify):

Comments

159. Is it possible to file a complaint about:

[X] the performance of lawyers

[X] the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

[] a judge

[] Ministry of Justice

[X] a professional authority

[] other (please specify):

Comments Responsible organ for disciplinary procedure is Bar Chamber. In the framework of the Bar Chamber there are three main organs responsible for disciplinary procedure: Disciplinary Prosecutor, Disciplinary Court and Appellate Council. Lawyer may initiate administrative dispute before the Administrative Court on the final decision brought by the above mentioned organs.

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	118 [] NA [] NAP
1. Breach of professional ethics	118 [] NA [] NAP
2. Professional inadequacy	0 [] NA [] NAP
3. Criminal offence	0 [] NA [] NAP
4. Other	0 [] NA [] NAP

Comments - If "other", please specify: Based on the records kept in the Bar Association , the Disciplinary Prosecutor during 2020, in its work has received a total of 118 charges against lawyers. The disciplinary prosecutor, while handling the reports for the cases, has filed a disciplinary indictment for 7 reports to the disciplinary court for disciplinary actions for disciplinary responsibility.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	0 [] NA [] NAP
1. Reprimand	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP
5. Other	0 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. Work of disciplinary bodies in the year 2020 was affected by the COVID 19.

7. Court related mediation and other alternative Dispute Resolution

7.1. Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

() Yes

(X) No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Family cases	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Administrative cases	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Labour cases including employment dismissals	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Criminal cases	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Consumer cases	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

() Yes

(X) No

[] NAP

Comments - If yes, please specify (only one or both options)::

=

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	45 [] NA [] NAP	17 [] NA [] NAP	28 [] NA [] NAP

Comments There are no changes in the number of registered mediators between 2019 and 2020.

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	329 [] NA [] NAP	329 [] NA [] NAP	131 [] NA [] NAP
1. Civil and commercial cases	199 [] NA [] NAP	199 [] NA [] NAP	41 [] NA [] NAP
2. Family cases	2 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP
3. Administrative cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Labour cases including employment dismissal cases	127 [] NA [] NAP	127 [] NA [] NAP	89 [] NA [] NAP
5. Criminal cases	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
6. Consumer cases	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments - Please indicate the source: Between 2019 and 2020, there was an increase of court related mediations for labour cases. Most of these procedures are mediations between administrative servants and the state institutions related to the employment rights.

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168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify):

Comments

G1. Please indicate the sources for answering the questions in this part

Source:

8. Enforcement of court decisions

8.1. Execution of decisions in civil matters

8.1.1 Number of enforcement agents, status and mandate

169. Number and type of enforcement agents in your country.

	Total	Male	Female
Total (1+2+3+4)	99 [] NA [] NAP	53 [] NA [] NAP	46 [] NA [] NAP
1. Private professionals under the authority (control) of public authorities	99 [] NA [] NAP	53 [] NA [] NAP	46 [] NA [] NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Judges	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If other, please specify their status and competences: Persons who perform public authorizations determined by law, out of the Courts, appointed by the minister of justice according to the provisions of the Law, who decide directly on the actions to be taken, within their authorizations, in order to carry out the enforcement decision and take up the enforcement actions, according to the final enforcement act.

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other

Comments - If "other", please specify:

171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes, please indicate the age of retirement: 64
- No, please specify the duration of the appointment:

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Exclusion is dismissal in disciplinary procedure or if enforcement agent resign from the office.

8.1.2 Activities/scope of competence

171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

Access to information	Direct electronic access to information
-----------------------	---

Address	(X) Yes () No	() Yes (X) No
Date of birth	(X) Yes () No	() Yes (X) No
Civil status	(X) Yes () No	() Yes (X) No
Cohabitant	(X) Yes () No	() Yes (X) No
Employer	(X) Yes () No	(X) Yes () No
Motor vehicle	(X) Yes () No	() Yes (X) No
Movable property	(X) Yes () No	(X) Yes () No
Immovable property	(X) Yes () No	(X) Yes () No
Bank account	(X) Yes () No	() Yes (X) No
Other enforcement proceedings underway	() Yes (X) No	() Yes (X) No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	(X) Yes () No	() Yes (X) No
Other	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP
Preventive seizure of movable tangible properties	() Yes, exclusively performed by enforcement agents (X) Yes, but not exclusively performed by enforcement agents () No [] NAP
Seizure of immovable properties	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP

Preventive seizure of immovable properties	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizures of boats and ships	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of aircrafts	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of electronic assets (e.g cryptocurrency)	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Enforced sale by public tender of seized properties	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP
Sale of shares	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP
Other	(X) Yes, exclusively performed by enforcement agents () Yes, but not exclusively performed by enforcement agents () No [] NAP

Comments

171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary or public auctions of moveable or immovable property
- Custody of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

8.1.3 Training and ICT

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
- No

Comments Continuous training for enforcement agents and it is a ground for disciplinary procedure.

172-2. Do you have an e-learning training system established for enforcement agents?

Yes

No

Comments - If yes, please specify:

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

Yes

No

Comments - If yes, please specify:

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

Yes

No

Comments Enforcement agents have software for electronic management of cases.
Also enforcement agents are electronically connected with data bases of Cadaster and Clearing house.

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

Yes

No

Comments - Please explain: Increase the efficiency of the procedure.

8.1.4 Fees

174. Are enforcement fees easily established and transparent for parties?

Yes

No

Comments The ground and the criteria for the enforcement fees and prescribed in Article 46 from the Law on Enforcement. They are elaborated in more details in secondary legislation (Tariff for enforcement) adopted by the Minister of Justice upon opinion of the Enforcement Chamber.

175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?

Yes

No

Comments

175-2. Who has to pay these fees if the enforcement proceedings are successful?

The debtor

The creditor

Other – please specify

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

- Yes
- No

Comments The criteria for the enforcement fees and prescribed in Article 46 from the Law on Enforcement.

H0. Please indicate the sources for answering the questions in this part

Source: Ministry of Justice,
Chamber of Enforcement Agents

8.1.5 Organisation of profession and efficiency of enforcement services



177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

- Yes
- No

Comments According to the Article 54 from the law on Enforcement, Ministry of Justice is competent for conducting the supervision on the work of enforcement agents. According to the Article 78 paragraph 1 item d from the law on Enforcement, Enforcement Chamber establish Commission for conducting the supervision on the work of enforcement agents. According to the Article 86 from the law on Enforcement, parties have right for objection for legality of actions of enforcement agents. Basic court on the area of enforcement is competent to decide on the above mentioned objection.

178. Which authority is responsible for supervising and monitoring enforcement agents?

- professional body
- judge
- Ministry of Justice
- public prosecutor
- other (please specify):

Comments See comments on the Q177

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

- Yes
- No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

- Yes
- No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

- no execution at all
- non execution of court decisions against public authorities
- lack of information
- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- unethical behaviour of enforcement agent
- other (please specify):

Comments "Non-execution" and "excessive length" were added due to the fact that there are cases in which the debtor has no property and there is no possibility for enforcement, or the debtor was overindulgent.

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	(X) Yes () No
for administrative cases	(X) Yes () No

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more (please specify):
- NA

Comments The average timeframe depends on the case and varies from case to case. However, in most of the cases it is 1-5 days. In cases where this period is longer, the main problem is that parties refuse to receive the letter, or they have temporary or permanently left the country.

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

Number of disciplinary proceedings initiated
--

Total number of initiated disciplinary proceedings (1+2+3+4)	3 [] NA [] NAP
1. For breach of professional ethics	0 [] NA [] NAP
2. For professional inadequacy	3 [] NA [] NAP
3. For criminal offence	0 [] NA [] NAP
4. Other	0 [] NA [] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	2 [] NA [] NAP
1. Reprimand	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	1 [] NA [] NAP
4. Fine	1 [] NA [] NAP
5. Other	0 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: "Other" - Permanent taking away of the right to perform occupation of enforcement agent

H1. Please indicate the sources for answering the questions in this part

Source: Ministry of Justice,
Chamber of Enforcement Agents of the Republic of Macedonia

8.2. Execution of decisions in criminal matters

8.2.1 Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)

- Judge
 Public prosecutor
 Prison and Probation Services
 Enforcement agent
 Other authority (please specify): Public Revenue Bureau

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). Public Revenue Bureau is responsible for execution of fines in criminal and misdemeanor cases.

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
 No

Comments

191. If yes, what is the recovery rate?

- 80-100%
 50-79%
 less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Male	Female
TOTAL (1+2+3+4)	186 <input type="checkbox"/> NA <input type="checkbox"/> NAP	74 <input type="checkbox"/> NA <input type="checkbox"/> NAP	112 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Holders of public offices appointed by the State	186 <input type="checkbox"/> NA <input type="checkbox"/> NAP	74 <input type="checkbox"/> NA <input type="checkbox"/> NAP	112 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Civil servants (paid by the State)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

4. Other	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure:

192-1. What are the access conditions to the profession of notary (multiple replies possible):

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify):

Comments Requirements for the appointment of notaries
Article 10

- (1) A person can be appointed notary only if they meet the following conditions:
- a) be a citizen of the Republic of Macedonia;
 - b) be professionally competent and enjoy a general medical competence which is proven by a certificate of a competent occupational medicine institution;
 - c) be a graduate lawyer having completed four-year undergraduate studies of law or a graduate lawyer who has completed 300 credits under the Bologna declaration in studies of law according to the European Credit Transfer System (ECTS);
 - d) pass the exam for notaries;
 - e) have prior working experience at least 3 years following the bar exam or have prior working experience in notary office at least 2 years following the bar exam;
 - f) not be convicted by an effective judgment on unconditional sentence of imprisonment of over six months or not be issued a ban on performing the occupation, office or duty;
 - g) pledge an oath before a notary that they shall provide the requisite equipment and premises for the performance of the notary service;
 - h) pledge before a notary that they are not overly in debt otherwise incur all consequences of perjury;
 - i) have active command of the Macedonian language and its Cyrillic alphabet; and
 - j) not have had the office of judge terminated, or their labour relation as a civil servant, assistant notary, deputy notary, attorney or bailiff by an effective judgment within a disciplinary procedure up to the expiry of three years as of the day of the judgment effectiveness.

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- yes, please indicate the age of retirement:64
- no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Exception is if the notary is dismissed for disciplinary liability.

9.1.2 Activities/scope of competences



194. What kind of activities do notaries perform (multiple options possible):

	Please select one option
Authentication	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Legalisation of signatures / Apostille	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Legality control of documents	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Taking of oaths	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Act as civil servant (for example performing marriage, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other judicial functions (for example, payment orders)	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Public auctions	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other (for example collect taxes, run registers etc.)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities. In Article 3, paragraph 2 from the Law on notary, is prescribed that the notary service includes drafting and issuance of public documents regarding legal operations in the form of a notary deed (or act), statements and attestations of facts used as a basis to pledge rights or obligations; adopting decisions within a procedure to issue notary payment orders; attestation of private deeds

(solemnization); issuing of certificates, authenticating signatures and marks, transcripts, translations, keeping documents, money and valuables for their transfer to other persons or authorities, as well as performing mandated activities defined by law.

194-2. In which areas of law do notaries perform their activities (multiple options possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments The Law on the Notary

Notary instruments and authentications

Article 4

(1) Notary instruments are public deeds which the notary has drafted within their scope of work and official actions enshrined by law such as instruments related to legal affairs and statements drawn by the notary in the form of a notary deed (notary acts), notary payment order, minutes of legal operations and other actions taken by the notary or in their presence (notary minutes), attestations of facts that the notary

has attested to personally or through deeds (notary attestations) and certified (solemnized) private deeds.

(2) Notary authentications are authentications of signatures or marks, authentications of identicalness of transcripts or certificates (transcript authentication), authentication of translations and other authentications as prescribed by the law.

(3) The notary deeds, the certified (solemnized) private deeds, the notary payment orders and decisions issued within successions as an entrusted mandate from the court and in cases defined by this law are self-executing.

(4) Notary instruments have the probative effect of public deeds if the required conditions prescribed by this Law have been met during their drafting.

(5) The notary authentications are probative as public deeds when it comes to facts certified by the notary.

9.1.3 ICT, organisation of the profession and training

194-3. Do notaries use specialised ICT systems in their activity?

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)
- In their relations with their clients
- In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

194-4. Which computerised registries can notaries consult?

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify)
- None

Comments

194-5. Are there registries/ registry infrastructures run by the notaries?

- Yes
- No

Comments - If yes, please specify: Registry of testaments run by the Notary Chamber.

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Business registry	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Civil status/ Population registry	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Succession / Family law registry	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Any other registry (please specify)	() Yes (X) No [] NAP	() Yes (X) No [] NAP
None	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments

194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify
- None

Comments

194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify)

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

- professional body
- court
- Ministry of Justice
- public prosecutor

[] other (please specify):

Comments

196-1. Is there a system of general continuous training for all notaries?

(X) Yes

() No

Comments

196-2. Do notaries have training on:

	Yes	No
European law	()	(X)
Law of another Member State (cross-border training programmes)	()	(X)

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities:

I1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice, Notary Chamber

10.Court interpreters

10.1.Details on profession of court interpreter

10.1.1Status of court interpreters

197. Is the title of court interpreters protected?

(X) Yes

() No

Comments This title is protected by the Law on Courts. There is a Register of court interpreters. All court interpreters have own stamp and seal.

198. Is the function of court interpreters regulated by legal norms?

(X) Yes

() No

Comments The Law on the Courts and Court book of rules.

199. Number of registered court interpreters:

[5 942]

[] NA

[] NAP

Comments New system of selection of interpreters with exam was introduced in 2008. According to new system, until the end of 2020, 2781 interpreters have passed exam and they are appointed by the Minister of Justice as court interpreters. The rest of 3161 were appointed before exam was introduced.

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify (e.g. having passed a specific exam):

201. Are the courts responsible for selecting court interpreters?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpreters Minister of Justice

Comments According to the Court book of rules, court interpreter can become a person who has passed exam before commission established from the Minister of Justice, composed by the university professors in the field of language teaching and other experts for languages. According to the Law on Courts, court interpreters are appointed by the Minister of Justice.

Basic conditions for passing exam are: candidate to be a citizen of the State, to have a knowledge of Macedonian language, to have graduated at some faculty (high education), to have a certificate for knowledge of foreign language and to be a citizen in the city where the court (for which translator is accredited) is located.

J1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice

11. Judicial experts

11.1. Profession of judicial expert

11.1.1 Status of judicial experts



202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):

Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case. The area of expert and technical witnesses is regulated by the Law on expert witnesses, relevant secondary legislation and procedural laws (Law on Criminal Procedure and Law on Civil procedure).

The expertise activity is regulated by the Law on Expert Evidence. This Law stipulates who can perform expertise activity, as well as the

conditions under which a person can obtain a license for expertise in the relevant field. The Law on Expert Evidence envisages categories of persons who, meeting the relevant requirements set by the Law on Expert Evidence, can obtain a license for expertise in the relevant area without taking the professional exam by submitting an application and appropriate documentation as evidence of meeting the legal requirements to the Ministry of Justice. In addition, according to Article 20 of the Law, the persons who can acquire a license without taking the professional exam are: Doctor of Science from the appropriate scientific field or third cycle of university studies - doctoral studies in the appropriate scientific field, Master of Science from the appropriate scientific field and the person who has passed the specialist medical examination or second cycle of university studies - Master of appropriate scientific field with five years work experience after completing the master's degree or passing the specialist examination, a person who has higher or secondary education with a registered craft from the relevant field (goldsmith and an employee of the authority of the state administration and professional institution responsible for performing expertise, who has at least five years experience in the relevant field of expertise). In addition to these persons, the Law provides for obtaining license for expertise in the relevant field by passing the professional exam, whereby, in accordance with Article 9 of the Law, any interested party is required to fulfill the following requirements: to be a citizen of the State, to have a residence in the country, to have a university degree in the relevant field (four-year university degree or degree with 300 credits according to the European Credit Transfer System (ECTS), prohibition to practice profession, activity or duty has not been pronounced, with effective decision, while the consequences of the prohibition are in progress and to have at least five years of work experience after graduation in the relevant area for which the application for taking the exam was submitted. According to the Article 244 of the Law on Criminal procedure, the public prosecutor, the defendant and the defense counsel shall have the right to nominate technical advisors from the registry of court approved experts, as of rule, but not more than two of them, who will help them in the gathering of information on professional issues or to contest the expert's report. The defendant and his or her counsel, in cases and under circumstances as prescribed in this Law for defense of indigent persons as referred to in Article 75 of this Law, shall have the right to be assisted by a technical advisor who will be paid from the State Budget. A person who cannot be an expert pursuant to Article 238 of this Law may not be nominated as a technical advisor.

According to the Article 245 of the Law on Criminal procedure, upon request by the parties, the technical advisors may be present during the expertise and give suggestions to the experts, and object regarding the expert examination, which shall be put on the record. If the technical advisors have been nominated only after the expert's report has been completed, the technical advisors may review the findings and the report and ask the entity conducting the proceedings for an authorization to examine the person, object or the location that was the subject of the expert examination.

202-1. Are there lists or any other form of official registration for judicial experts?

Yes

No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

national

administrative district or federal entity

judicial district

other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?):

202-1-2. Are these lists publicly available?

Yes, available on the internet

Yes

No

Comments

202-2. Which authority is competent for the registration of judicial experts?

- Ministry of justice
 Courts
 Administrative body
 Independent body (association of judicial experts)
 Other

Comments - Please also specify the registration criteria:

202-3. Is the registration of judicial experts limited in time?

- Yes, for how long 5 years
 No

Comments According to the Article 19 paragraph 4, an expert license is issued for a period of five years.

202-4. Can an expert who is not on the list or not registered be appointed in a case?

- Yes
 No

Comment - If yes, please specify in which cases:

203. Is the title of judicial experts protected?

- Yes
 No

Comments - If appropriate, please explain the meaning of this protection: According to the Law on expert witnesses there are two categories of candidates for expert witnesses. First category obtain licence without taking examination, upon submitted request and appropriate documentation (Ph D or Master of Science and 5 year of work experience in relevant area). Second category of candidates can obtain licence after passing theoretical and practical exam. The Minister of Justice issues licences for all expert witnesses .

203-1. Does the judicial expert have an obligation of training?

	Obligation of training
Initial training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Continuous training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments According to the Law on expert witnesses there are two categories of candidates for expert witnesses. First category obtain licence without taking examination, upon submitted request and appropriate documentation (Ph D or Master of Science and 5 year of work experience in relevant area). Second category of candidates can obtain licence after passing theoretical and practical exam. The Minister of Justice issues licences for all expert witnesses .

So there is initial training just for the second category which is obliged to pass the exam.

203-2. If yes, does this training concern:

- judicial proceedings
- the profession of expert
- other

Comments Exams are composed mainly of the questions related to the field of profession expertise, procedures and substantive laws.

204. Is the function of judicial experts regulated by legal norms?

- Yes
- No

Comments The expertise activity is regulated by the Law on Expert witnesses.

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

- Yes
- No

Comments - If yes, please specify: The Law on Civil Procedure
Article 239

- (1) An expert witness may be dismissed for the same reasons a judge or a lay judge may be recused, but a person who was previously interrogated as a witness may also be taken as an expert witness.
- (2) The party is obligated to submit a proposal for the exemption of an expert witness immediately after it learns of the reason for exemption exists, and at the latest before the start of the disclosure of evidence by means of expertise. If the court has interrogated the party about the personality of the expert witness prior to appointing expert witness, the party is obligated to declare itself about the exemption at that time.
- (3) In the request for exemption of an expert witness, the party is obligated to state the circumstances which present the grounds for the requested exemption.
- (4) The court decides on the request for exemption. The judge of the plea court and the president of the council decide on the exemption, if they are entrusted with the disclosure of evidence by means of expertise.
- (5) An appeal against the decision by which the request for exemption is accepted is not allowed, and a separate appeal is not allowed against the decision with which the request is refused.
- (6) If the party learns of grounds for an exemption after the expertise was performed and for that reason objects the expertise, the court will act as if the request for exemption was presented before the performed expertise.

The Law on Criminal Procedure
Article 38

Exclusion of public prosecutors and other participants in the procedure

- (1)The exclusion provisions for judges and lay judges shall also be equally applicable for the public prosecutors, with the exception of the grounds as referred to in Article 33, paragraph 1, items 4 and 5 of this Law.
- (2)The exclusion provisions for judges and lay judges shall be equally applicable for the record keepers, interpreters or translators and other professional staff, as well as for the expert witnesses, unless there are other provisions referring to them (Article 238 of this Law).
- (3)The public prosecutor in charge of the public prosecution office shall rule on the motions for exclusion of the public prosecutors from that public prosecution office. The public prosecutor in charge of the immediate higher public prosecution office shall rule on the motions for exclusion of public prosecutors in charge of the lower public prosecution offices.
- (4)The entity that conducts the procedure shall rule on any motions for exclusion of record keepers, interpreters or translators and expert witnesses.

Article 238

Exclusion of an expert

(1)A person who may not be heard as a witness (Article 213 of this Law) shall not be commissioned as an expert, or a person who has been relieved of the duty to testify (Article 214), as well as a person against whom the criminal offense was committed, and if such person has been commissioned, the court decision may not be founded on his or her finding and opinion.

(2)There would be a reason to exclude an expert also if that is a person who is working together with the defendant or the injured party in the same entity or other legal person, as well as if the person is working for the injured party or the defendant.

(3)A person, who has been heard as a witness, may not be commissioned as an expert.

(4)If a separate appeal against the decision to overrule the motion for exclusion of the expert is allowed (Article 36, paragraph 7), the appeal shall delay the preparation of the expert’s report, unless there is a danger of procrastination.

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	1 089 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Presented data are from December 2020

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	[X] NA [] NAP
1.Civil and commercial litigious cases	[X] NA [] NAP
2.Administrative cases	[X] NA [] NAP
3.Criminal cases	[X] NA [] NAP
4.Other cases	[X] NA [] NAP

Comments

205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	() Yes () No [X] NAP	() Yes () No [X] NAP
Defined by the court/judge	() Yes () No [X] NAP	() Yes () No [X] NAP

Defined by Ministry of Justice or another ministry (setting a tariff for example)	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	() Yes () No [X] NAP	() Yes () No [X] NAP
Freely agreed between expert and the parties	() Yes () No [X] NAP	() Yes () No [X] NAP
Other	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments - If other, please specify: Reward and compensation

Article 29

(1) The expert for the performed expertise or super expertise has the right to reward for the performed expertise or super expertise and the right to compensation for realistically necessary costs.

(2) The amount of the reward for the performed expertise or super expertise is determines according to the amount of monetary value of the subject of expertise, the complexity of the expertise, the time required to collect the data and preparation of the expertise (finding and opinion).

(3) The amount of the actually required costs shall be determined on the basis of real necessary travel and daily expenses and material expenses.

(4) The manner of calculating the reward and the compensation referred to in this Article prescribed by the Minister of Justice upon prior opinion of the Chamber of Experts.

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	(X)	()
Quality of expertise	(X)	()
Other	(X)	()

[] NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions: According to the Law on Civil Procedure, the expert shall submit its expert opinion and opinion in writing within the deadline determined by the court, which can not be longer than 45 days, and in complex cases can not be longer than 60 days.

207-1. Does the judge or another body control the progress of the expertise?

() Yes

(X) No

If yes, please specify: According to the Law on Criminal procedure, the expertise shall be managed by the entity that has ordered the expertise (the order during the preliminary procedure shall be issued by the public prosecutor, and during the main hearing it will be issued by the court).

207-2. Are judicial experts' associations involved in:

Selection processes

Initial or continuous training

Disciplinary procedures

NAP

Comments The disciplinary body of the Chamber is the Disciplinary Commission. The Disciplinary Commission is elected by the Assembly of the Chamber.

According to article 25 from the Law on expert witnesses, the expert has the obligation to attend the training continuously every year training conducted by the Chamber of Experts in cooperation with Ministry of Justice. Failure to attend the training shall be considered disciplinary offense.

K1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice (Register of expert witnesses)

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Strategy for the reform of judiciary sector - implemented during the reference year

Strategy for the reform of judiciary 2023-2027 - planned

Strategy for the reform of criminal law - planned

Strategy for HR resources in judiciary network

Strategy for HR resources in public prosecutorial network

National Strategy for development of the penitentiary system 2021-2025

Strategy for development of the probation system 2021-2025

208-2. Budget

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: It is planned to adopt amendments to the Law on the court budget

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New Law on public prosecution and amendments on the Law on Council of public prosecutors were adopted in 2020

It is planned to change geographical court and public prosecution networks.

208-4. Access to justice and legal aid

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New Law on free legal aid was adopted in 2019. Strengthening of the system of free legal aid. National coordination body for free legal aid was established.

208-5. High Judicial Council

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Amendments on the Law on Court Council were adopted in 2019. New Strategy for HR resources in judicial network was adopted by the Judicial council.

208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New Law on public prosecution and amendments on the Law on Council off public prosecutors were adopted in 2020

Amendments on the Law on Court Council and new Law on courts were adopted in 2019. Amendments of the Law on attorneys are in parliamentary procedure.

208-7. Gender balance

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Amendments of the Criminal code related to the implementation of Istanbul convention are in parliamentary procedure.

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New Law on civil procedure is in parliamentary procedure. According to the Strategy for the reforms in the judiciary sector 2017-2022, new Law on obligations, Law on property and Law on inheritance will be prepared. New Criminal code and amendments Law on criminal procedure are in the final stage of preparation. New Law on law on payment of monetary compensation to victims of crimes committed with violence is in parliamentary procedure. New Law on international cooperation in criminal matters related to harmonization with latest EU acquis and international instruments was adopted. Three Hague conventions will be ratified. New Law on administrative disputes was adopted in 2019.

208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Planed amendments of the Law on bailiffs.

208-10. Mediation and other Alternative Dispute Resolution

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New Law on mediation is in the parliamentary procedure.

208-11. Fight against crime

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New Strategy on strengthening of the capacities for conducting financial investigations and confiscation of property 2021-2023 was adopted by the Government. Law on Asset recovery Agency is in preparation in Ministry of justice.

Draft on the new Law on management of confiscated property will be prepared.

208-12. Prison system

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In 2019 new Law on the execution of sanctions was adopted. New Strategy for development of the penitentiary system and new Strategy on development of the probation system were adopted in 2021.

208-13. Child friendly justice

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New Law on child justice is in the final stage of preparation.

208-14. Domestic violence

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Action plan for implementation of Istanbul Convention - adopted by the Government
Amendments of Criminal Code for implementation of Istanbul Convention - Parliamentary procedure for adoption

Law on victims compensation - Parliamentary procedure for adoption

Law on Prevention and Protection from Violence against Women and Domestic Violence - adopted

208-15. New information and communication technologies

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Implementation of the Strategy for ICT in judiciary sector 2019-2023 is ongoing. ICT Council in the judiciary was established. Government Plan for digitalization of the judiciary was adopted.

208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New Strategy for reforms in the judiciary sector 2023-2027 is planed to start with preparation in 2022.