

PATHS TO JUSTICE IN NORTH MACEDONIA

Findings, conclusions and recommendations
of the 2nd nationwide survey on the legal needs
and paths to justice of the people living
in North Macedonia in 2022



Prepared by:
Goce Kocevski, LL.M
Martin Gramatikov, PhD

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EXECUTIVE SUMMARY

Prevalence and types of problems

66% of the surveyed respondents reported having experienced facing at least one non-trivial justiciable problem in the last three years. The data shows an increase compared with the 2012 study, where slightly less than half of the respondents (49%) reported experiencing a justiciable problem. The problems related to consumer rights were reported most frequently (20.11%), followed by legal problems stemming from injuries and health-related issues (13.95%) and debts and employment-related issues (both 11.3%). Other commonly reported problems include discrimination, access to welfare and public services and property. The problems less frequently reported related to family disputes, problems with police as well as children-related legal problems.

The data from the survey shows that socio-demographic characteristics are playing a role in determining the prevalence of justiciable problems. One of the factors that influence the prevalence of justiciable problems is age. According to the data, the likelihood of experiencing justiciable problems decreases with age. The peak of groups reporting legal problems is between 18 to 44 years, after which there is a steady decline. $\frac{3}{4}$ of the respondents within this age group reported experiencing a legal problem. However, whether decreasing reporting rates of problems among older respondents reflects a decline in the prevalence of problems is questionable. The elderly may face problems recognizing whether they are facing some justiciable problem and might be more reluctant to share it in a survey.

Gender is, to a certain extent, a modest predictor of the likelihood of experience of a legal problem since 69% of the male respondents reported justiciable problems compared with 63% of women. A much more important factor is whether the respondent lives in urban or rural areas. Persons living in rural areas are 13 percentage points more likely to experience legal problems compared with their

urban counterparts. Ethnic origin plays a role in the prevalence of legal problems. Respondents from the Albanian community report a greater number of legal problems compared with other ethnic communities.

Paths to justice

Most people of North Macedonia do something to resolve their legal problems. However, we see that 19% said that they did nothing to resolve their problem. Overwhelmingly, the most often used “path to justice” is to contact the other party in the dispute or grievance. 63% of the respondents who had a problem said that they made contact with the other party to resolve the issue. The other strategies are used considerably less commonly. Around 20% sought information from someone in their environment (friend or relative), and 11% sought information from a lawyer. A surprisingly low proportion – around 9% of all people with problems – said that they searched up the internet for information on the issue.

There are significant differences in the strategies that people employ to deal with legal problems. More than 80% of those dealing with consumer problems contacted the other party; some sought information among friends and relatives, and some preferred to remain passive. Very few took the problem to a professional or an institutional path to justice. *Lawyers were more often used when the individual had to deal with a problem related to real estate, injuries and debt.* People are more likely to do nothing in situations of grievances over public services, injuries, and health-related problems. Authorities were more often used when people had to deal with real estate problems or with problems with renting.

Causes for inactivity

For most of the individuals who did not take any measures when asked about why they did not do anything, the most common answer given was that the resolution of the problem would take too much time. These findings require further research but apparently, for 37% of the people who did nothing, the key reason was that it was not worth it to do anything to resolve the problem. The next reason was selected by 34% - there was not anyone to help with the resolution. The third most frequently mentioned reason for the lack of action is the perception that the judicial system of North Macedonia is inefficient. Interestingly, the lack of money is not among the top 3 reasons for remaining passive – 18% said they did nothing because they did not have enough money.

Outcomes of the problems

The outcomes refer to the issue of whether the problem has been resolved (notwithstanding if in favor or against the respondent) or is still pending. 40 % of the reported problems are ongoing, while almost 60% are finished. Desegregated by type of problem, there are significant differences between the types of problems and the likelihood that they are finished or pending. Property and family disputes are more likely to be not resolved. This could be a result of the specific nature of these problems, which either require longer judicial procedures for their resolution or the complex personal relations complicate their resolution. Taking advice, especially from lawyers as well as other sources, can result in a greater chance of resolution of the problem. On the other hand, the most common strategy used (contact the other party) is far less likely to result in the resolution of the problem.

Impact of the problem

Over 50 % of the eligible respondents reported that the problem had caused severe stress among them. According to this, the most stressful legal problems experienced are marital and partnership disputes, discrimination, problems related to law and order, other family problems and problems related to debts. On the other hand, the problems related to consumer rights, though most common, are not causing much stress compared with the other legal problems. The problems related to debt have the greatest negative impact on the financial standing of the respondents. The harm dimension assesses the extent to which the problem affected the respondent's life. The family-related problems and disputes are again on the top as most affecting the everyday life of the respondents.

The prevalence of certain problems within the general population does not imply the impact of the problem on the respondent. For example, though consumer problems are most commonly experienced, they have little impact on the respondents. The family related disputes and problems are far more likely to have a negative impact on the life of people. It is necessary that there are effective and accessible services to ensure that these problems are adequately addressed. The impoverished population is disproportionately more adversely impacted by legal problems, which requires efficient access to justice policies for those living in poverty.

General attitudes about the justice system

Only 3.3 % of the respondents agree fully with the statement that the laws and justice system in North Macedonia is just and fair. Almost 70% of the respondents have negative attitudes towards the justice system. However, besides this, still, 1/3 of the respondents see the courts as an important mechanism for ordinary people to enforce their rights. Overwhelmingly the respondents agreed that the judicial system works better for the rich than for the poor and that the costs are very high and burdensome for the realization of justice. Experiencing justiciable problems seems to be a strong predictor about the attitudes of people who have experienced legal problems being more likely to have negative sentiments about the justice system in general compared with persons who did not have any legal problems.

Awareness about the Law on Free Legal Aid

2/3 of the respondents (65.6%) are not aware of the existence and the rights that the Law on Free Legal Aid may provide and protect. Around 21.5% of respondents are aware that such a law exists though not acquainted with the details, while 10% of the respondents are aware of the criteria and the procedures. These findings point out that it is necessary to amplify the efforts for the promotion of the services that can be provided within the auspices of the national legal aid system. There is a strong socio-demographic impact on the awareness with persons with lower educational levels, low income and living in rural areas more likely to not have any information about the Law compared with the other segments of the population.



INTRODUCTION

About the legal needs survey

This report provides an outline of the key findings, conclusions and recommendations from the second national legal needs¹ survey² in North Macedonia, commissioned by the Council of Europe's program office in Skopje and conducted by the research agency Brima. The report and the survey were implemented within the auspices of the project *Supporting enhanced access to higher quality free legal aid services in North Macedonia (2246 – HFII)* implemented by the Council of Europe and funded by the European Union and Council of Europe.

The Access to justice³ is crucial for advancing the well-being of the people and for sustainable development. Effective access to justice helps resolve disputes at the heart of people's lives, promotes government accountability and gives people and businesses confidence to enter into and enforce contracts. An important component of access to justice is the concept of legal need. A legal **need arises whenever a deficit of legal capability requires legal support⁴ to appropriately address a justiciable problem⁵ to be appropriately dealt with.**

To assess to what extent legal needs are met in one's society, during the XX century, the tool of legal needs survey was developed and utilized. Legal needs surveys investigate the experience of justiciable problems from the perspective of those

¹ Legal need arises when citizens (or businesses) require support from legal services in order to resolve problems which have a legal dimension. Pleasence P. (2016) 'Legal Need' and Legal Needs Surveys: A Background Paper. Open Society Justice Initiative.

² Legal needs surveys are a specific form of survey research that investigates the experience of justiciable problems from the perspective of those who face them, rather than the professions and institutions that may play a role in their resolution. OECD/Open Society Foundations (2019), Legal Needs Surveys and Access to Justice, OECD Publishing.

³ Access to justice concerns the ability of people to obtain just resolution of justiciable problems (a problem that raises legal issues) and enforce their rights, in compliance with human rights standards.

⁴ Common problems include those concerning consumer issues, money, neighbors, family matters, housing and land, employment, social safety net assistance, and access to public services.

⁵ Justiciable problems are defined as problems that raise legal issues, whether or not this is recognized by those facing them, and whether or not lawyers or legal processes are invoked in any action taken to deal with them. OECD/Open Society Foundations (2019), Legal Needs Surveys and Access to Justice, OECD Publishing..

who face them rather than the professions and institutions that may play a role in their resolution. Thus, legal needs surveys can identify and explore the full range of responses to problems and the full range of sources of help and institutions available.

Legal needs surveys have a long history. Such surveys have increased in recent decades, and they are now relatively commonplace across the globe. Over the past 25 years, more than 55 large-scale (i.e. 1,000 respondents or more) stand-alone national legal needs surveys of individuals have been conducted in more than 30 separate jurisdictions.⁶ The World Justice Project collects and presents data on the conducted legal needs surveys⁷.

In 2019, the OECD and Open Society Foundations published a Guide on Legal Needs Surveys and Access to Justice Guide. The Guide developed based on the experience of 55 surveys in 30 jurisdictions, provides a framework for understanding and measuring legal needs as well as methodological guidance and model questions⁸. Aside from this Guide, extensive literature studying the legal needs survey as an instrument has been developed to serve as a resource for future surveys.

In 2012, Foundation Open Society Macedonia (FOSM) initiated and financially supported the country's first comprehensive legal needs survey.⁹ The research process was subcontracted to a specialized research NGO Reactor who developed the methodology and conducted the survey on a representative sample of 2,858 respondents. The assessment was carried out as a survey through quantitative research using the method of Computer-Assisted Telephone Interviewing (CATI). The survey showed that half of the population (49%) had experienced at least one justiciable problem.

In 2018 the Government pledged within the Open Government Partnership National Action Plan 2018-2020 to conduct a **National Survey of Citizen's Legal Needs** to develop a plan or strategy for legal strengthening in accordance with previously obtained findings.

⁶ OECD and Open Society Foundations (2019). Legal Needs Surveys and Access to Justice. p. 24.

⁷ For a detailed list of all publicly available legal needs surveys conducted since 1991 see World Justice Project's Atlas of Legal Needs Surveys – Interactive map.

⁸ The model questions seek to capture three core components of effective access to justice: 1. The nature and extent of unmet legal and justice needs; 2. The impact of unmet legal and justice needs on individuals, the community and the state; and 3. How specific models of legal assistance and dispute resolution are utilised to meet needs.

⁹ Korunovska Srbrnjanko et al. (2013). Legal Needs and Paths to Justice in the Republic of Macedonia. FOSM.

Subject and scope of the survey

This legal needs survey examines the nature of legal problems faced by people living in North Macedonia, the pathways to their resolution, and the demographic groups that are particularly vulnerable to experiencing legal problems. The study assesses:

1. the prevalence¹⁰ of legal problems;
2. the nature of legal problems;
3. the strategies used in response to legal problems;
4. the advice received for legal problems;
5. the solution of the legal problems;
6. the outcome of legal problems; &
7. the factors that may influence each of the above.

Concerning aim 7, the influence of the following factors is examined (e.g. gender, age, ethnicity, education, employment status, place of residence and income), characteristics of legal problems (e.g. type, frequency and severity of problems).

Purpose of the survey

The main **purpose** of this survey is to provide valuable evidence-based empirical data and to inform debate and policy developments concerning administering and providing legal aid and the overall access to justice system in North Macedonia. By gaining insights into the perceptions, attitudes and behaviors of people, when faced with certain problems of legal nature, the policymakers will be able to modify existing or introduce new policies and laws aimed to improve the overall access to justice in the country.

Moreover, having evidence of people's experience of resolving justiciable problems will provide a unique overview of the overall functioning of the justice system, its effectiveness and the confidence of the people in it. The survey findings will inform the policymaking in the area of the judiciary, social protection, non-discrimination, and consumer protection. Additionally, the survey will give insight into the impact of the COVID-19 pandemic on access to justice.

¹⁰ The prevalence of problems reflects the possibility for Macedonian citizens to be exposed to these problems. For example, the most common problems are triggered by circumstances experienced by most of the adult population, i.e., problems that can happen to almost anyone in Macedonia.

Objectives of the survey

The **objectives** of this legal needs survey are:

- To quantify the prevalence and patterns of justiciable problems across populations;
- To map the patterns of problem resolving/seeking behavior;
- To identify obstacles in accessing legal services and processes (ex. poor service delivery; lack of available legal aid; unresponsive institutions etc.);
- To provide insight into levels of legal capability (including legal understanding, awareness of services, legal confidence, etc.);
- To assess the attitudes towards and trust in the justice system;

Role of legal needs survey for policy reform

The legal needs surveys as an instrument provide a uniquely comprehensive overview of the justice system and people's experience of resolving justiciable problems. This overview is impossible to achieve by other means and as such, legal needs surveys provide vital data concerning access to justice. Such surveys provide an empirical basis for understanding how people's justice issues arise and how they affect numerous development sectors.

The administrative data (collected by courts, legal service providers, civil society legal assistance programs, etc.) is essential for programming and assessment. However, they cannot provide policymakers with the information necessary to assess the true scope of needs, as they do not encompass problems that parties deal with only informally or ignore.

Legal needs surveys can be used **to identify areas for policy reform**.¹¹ Mapping the unmet legal needs, identification of specific legal problems, and assessing the impact these problems have on specific groups could inform the policymakers to reform laws, institutions and practices to facilitate the resolution of the problems. The surveys could also serve as a mechanism for monitoring changes in experience and behaviors as well as to measure the impact of reforms in the areas of justice and access to justice. The more than 55 national legal needs surveys, along with many more sub-national surveys, conducted over the past 25 years, have gently contributed to *"transform[ing] thinking about legal aid and advice"*.¹²

Professor Hazel Genn, author of the seminal Paths to Justice surveys in the United Kingdom, has characterized this transformation as having distinct phases. The first

¹¹ OECD and Open Society Foundations (2019). Legal Needs Surveys and Access to Justice. p. 24.

¹² Pleasence, P., N.J. Balmer and R.L. Sandefur (2013a), Paths to Justice: A Past, Present and Future Roadmap, Nuffield Foundation, London.

sees findings concerning the ubiquity of justiciable problems and the relatively rare use of formal legal systems bring about a “policy ‘flip’ [from] system to citizen-focus,” which leads to policy and design of services “with needs and behavior in mind, rather than funder convenience or policy assumptions”.¹³

Respondents also identified key legal needs survey findings that have been instrumental in the reformulation of access to justice policy in broader social and instrumentalist terms. Most frequently highlighted were “findings that certain groups [are] disproportionately exposed to a higher problem incidence by virtue of their demographic characteristics”.¹⁴

Legal needs surveys provide the “big picture” of people’s efforts to access justice. They enable the quantification of justiciable problem experience across populations the mapping of patterns of problem-resolving behavior. From individual and community perspectives, they can also identify obstacles to accessing legal services and processes, such as poor service delivery. They also provide insight into levels of legal capability (including legal understanding, awareness of services, legal confidence, etc.), attitudes towards and trust in the justice system, and the relation of justiciable problems to broader social and economic problems.

¹³ Genn, H. (2017), “Access to justice in the 21st century,” Paper presented at the Reshaping Justice: ClientCentred Service Delivery, Technology and Innovation Research Symposium, 20 June 2017, Sydney.

¹⁴ Pleasence, P., N.J. Balmer and R.L. Sandefur (2013a), Paths to Justice: A Past, Present and Future Roadmap, Nuffield Foundation, London.

METHODOLOGY

The methodology used in this survey followed the **justiciable problem**¹⁵ approach, already well developed, studied and implemented in over 50 jurisdictions¹⁶. The sample was drawn from the **general adult population** in North Macedonia. Consultants of the Council of Europe developed the framework for the research and the survey instrument (the questionnaire). At the same time, the sampling, the data collection (fieldwork) and initial data processing were done by Brima. The survey was performed using **Computer Assisted Telephone Interviewing (CATI)**. The unit of measurement was the individual, not the household.

A reference period (“the time frame for which survey respondents are asked to report”) for this survey was **three years**. The data collection was done in two phases. In the first phase (**Screening survey**), the team aimed to estimate the prevalence of justiciable problems, their types and frequency, and to identify the respondents’ perception about the legal system in general. The screening survey was done on a representative random sample of **2.800 respondents**. The second phase (**Detailed interview**) was conducted with respondents who reported that they had experienced legal problems in the past three years and who agreed to take the interview. The objective of the interview was to identify the attitudes of the persons affected by the legal problems, the actions they have taken, the reasons for inactivity, the outcome and the impact of the problem. The detailed interview was done with a sample of **1.627 respondents**.

Sample design

The survey was performed on a **multistage stratified random sample**, representative of the **general adult population** in North Macedonia. Though

¹⁵ Problems that raise legal issues, whether or not this is recognized by those facing them, and whether or not lawyers or legal processes are invoked in any action taken to deal with them.

¹⁶ GENN & PATERSON, Paths to Justice Scotland. What People in Scotland Do and Think About Going to Law; PASCOE PLEASENCE, et al., Causes of Action: Civil Law and Social Justice.

legal needs surveys might target only low-income individuals and families¹⁷ or young people¹⁸, there are several important arguments in favour of the general adult population. Firstly, the first study in 2012 was done on a sample of the general adult population to enable a comparison of the results between the two surveys. The second reason is the need to provide a broader snapshot of the legal needs in the country, not only of the low-income population, in order to have a greater understanding of how legal problems are settled and how they are impacting the lives of the people from all societal spectrums. The experience of discrete vulnerable populations has been more often separately investigated using methods other than surveys. For example, the experience of older people, homeless people, persons with mental illness and prisoners in Australia have been investigated through qualitative research projects¹⁹.

The sample was designed using data from the most recent census (2021). **The respondents were drawn from a database of Brima composed of over 10.000 phone numbers and from the phone book (for fixed telephones).** The base was weighted to balance the statistical error of the sample. The factors used in weighting were:

- **Regions:** Eight statistical regions;
- **Ethnicity:** In accordance with the data from the 2021 census, the population was grouped into two groups (Macedonian and others; and Albanians);
- **Sex:** Male or female;
- **Age:** Six age groups;
- **Place of living:** Urban or rural; and
- **Education:** Three categories – 1 = No or elementary education, 2 = secondary education &, 3. University education or higher.

The weighting was done using a special software tool (Random Iterative Method). After the weighting, the following sample was generated.

17 Reese, R.W. and C.A. Eldred (1994), Findings of the Comprehensive Legal Needs Study, American Bar Association, Chicago.

18 The 2016 Moldovan Legal Empowerment Needs Survey was of young people, aged 14 to 23 years old.

19 OECD and Open Society Foundations (2019). Legal Needs Surveys and Access to Justice. p. 39.

Table 1: Sample design

Pondered base (18+)		Ethnicity					
		Macedonian and other		Albanian		Total	
		Urban	Rural	Urban	Rural	Urban	Rural
		No.	No.	No.	No.	No.	No.
Region	1. Vardar	163	53	/	/	163	53
	2. Eastern	168	71	/	/	168	71
	3. South-western	88	94	52	40	139	134
	4. South-eastern	109	122	/	/	109	122
	5. Pelagonija	215	96	/	19	215	115
	6. Polog	46	70	107	150	153	221
	7. North-eastern	114	49	28	41	142	90
	8. Skopje	528	132	129	116	658	248
	Total:	1431	688	315	365	1746	1054

The weighting enabled the sample to be representative of the population, as it can be seen by analyzing the percentage of different socio-demographics in the sample.

Table 2: Socio-demographic characteristics of the sample

Category	Frequency	Percentage	Category	Frequency	Percentage
Gender			Region		
Male	1375	49.1	Vardar	216	7.7
Female	1425	50.9	East	239	8.6
Ethnicity			Southwest	274	9.8
Macedonian	1941	69.3	Southeast	230	8.2
Albanian	680	24.3	Pelagonia	330	11.8
Turkish	57	2.0	Polog	374	13.4
Roma	55	2.0	Northeast	232	8.3
Serbian	17	.6	Skopje	906	32.3
Vlach	4	.1	Education		
Bosniak	14	.5	Elementary	969	34.6
Other	32	1.1	Secondary	1259	45.0
Age group			Higher	263	9.4
18-24	286	10.2	Undergraduate	266	9.5
25-34	458	16.3	Postgraduate	42	1.5
35-44	489	17.4	Income (In MKD)		
45-54	482	17.2	Under 10.000	120	4.3
55-64	483	17.3	10.001-20.000	549	19.6
65+	603	21.5	20.001-30.000	536	19.1

Place			30.001-40.000	448	16.0
Urban	1746	62.4	40.001-50.000	363	13.0
Rural	1054	37.6	50.001-60.000	218	7.8
			Over 60.11 MKD	161	5.8
			Refuse	183	6.5
			Do not know	221	7.9

Data collection instrument

The questionnaire used in this study is to a great extent based upon the questionnaire designed by Hazel Genn in her seminal work *Paths to Justice*²⁰. The questionnaire was composed of seven sections. The first three (socio-demographics, screening questionnaire and general perceptions and attitudes were part of the 1st phase of the interview, while the next four sections (paths to justice, actions not taken, outcome, and impact of the problem) were part of the 2nd phase. The questionnaire was composed of closed questions (yes/no) and to less extent, ranking and Likert scale questions. It enabled the collection of 480 different variables. The length of the questionnaire was 6.600 words similar to the median length of other legal needs questionnaires used in surveys.²¹

The screening questionnaire collected information about the following types of problems:

- Consumer rights
- Employment
- Property (real estate)
- Landlord related problems
- Tenant related problems
- Discrimination
- Money & debt
- Social protection and other government transfers
- Realization of other rights in administrative procedure
- Marital & partner disputes
- Other family related problem
- Children related problems
- Injury & health
- Law & order

²⁰ Genn, H. *Paths to Justice – What people do and think about going to law*. National Centre for Social Research. Hart Publishing, 1999.

²¹ OECD and Open Society Foundations (2019). *Legal Needs Surveys and Access to Justice*. p. 40.

For each category, a list of specific problems was drafted to be read to the respondents. The respondent may answer with yes or no if they have encountered that particular problem in the last three years. If their answer was yes, they needed to give the approximate time (month and year) when the problem started and to state how often they encountered the problem: once, twice or more often.

The questionnaire **excluded the following types of problems:**

- “Trivial” problems²² (problems considered not serious enough);
- Problems experienced by respondents but related to their businesses²³, and
- Problems experienced by family members, except for property related problems.²⁴

The CoE consultants initially drafted the content of the questionnaire. Questions regarding the impact of COVID pandemic, as well as the Law on Free Legal Aid from 2019 were introduced. The questionnaire was scripted in NIPO CAPI/ TAPI Software that is used by Brima in Macedonian and Albanian languages.

Focus groups

To test the language and wording of the legal problems and other questions, the research team organized two focus groups, one with lawyers other with lay persons. This ensured a valid adaptation of the questionnaire in the Macedonian and Albanian languages. Both focus groups were conducted on 17th August 2022 in an online format. In the first focus group, there were five participants, lawyers, who provided primary legal aid in authorized associations, while in the second group, there were four laypersons. The sessions lasted 60 minutes and were moderated by the research team members. All discussions were recorded. The main aim of the focus groups was to test the clarity of the selected problem categories.

²² In designing the methodological approach the authors introduced a “triviality threshold” i.e. the respondents were asked only to report the problems that were **difficult to solve** in accordance with their own subjective understanding. The authors acknowledge the limitations of this approach as described in the literature (See: Pleasence, P., N.J. Balmer and R.L. Sandefur (2016), “Apples and oranges: An international comparison of the public’s experience of justiciable problems and the methodological issues affecting comparative study”, *Journal of Empirical Legal Studies*, Vol. 13(1), pp. 50-93.) however the data collection method (CATI) was not suitable to use other methods for filtering out “trivial” problems.

²³ The significance of business-related problems in people’s lives poses methodological challenges to ensuring that the nature of the universe of problems recorded by surveys is distinct and defined. Distinguishing business from personal problems provides conceptual coherence, provides greater flexibility in relation to analysis and facilitates the comparison of survey findings.

²⁴ Surveys of individuals are generally preferable in the case of legal needs Studies Not all problems within households are shared. Some problems are between members of a household (raising obstacles to both the fact and nature of reporting), and individual respondents may be unaware or have a false impression of problems elsewhere within a household (especially when details are deliberately withheld).

Pre-testing & survey team

The survey was done by Brima's team, composed of 13 experienced interviewers supervised by 2 supervisors and one manager of the interviewers' network. Before the start of the survey, an introductory briefing was organized and attended by the CoE consultants. The interviewers practiced the questionnaire for three days. Also, a workshop on the general approach to improving the response rate was conducted.

The survey

The fieldwork was done from 21 August 2022 to 19 October 2022. 70% of the sample was drawn from mobile phones, while 30% was from the landlines due to the low coverage of fixed phones. In case of a call to a mobile phone, the respondent was directly interviewed (with an opportunity for a maximum of three attempts). If no contact was established, the respondent was replaced with another respondent. In case of a call to a landline, the respondent's selection was done upon the principle of "first next birthday" in the household of adult members. If a contact has not been made after three attempts/rescheduling another respondent was called. **The average duration of the survey was from 25 minutes (for the screening phase) to 45 minutes for the full interview.**

The supervisors performed a direct control of about ten initial surveys from each pollster (they were present at the direct polls) to check the presentation, the flow of the survey, the behavior of the pollsters, etc. In addition, periodically, the supervisor attended BRIMA's Call Centre to monitor the survey. For quality assurance, the respondents were periodically contacted by telephone and asked how satisfied they were with the survey and if they had any remarks (criticisms/praises) for the interviewer. Such review was done on about 5% of the total sample.

Response rate

The response rate was calculated as a proportion of all conducted effective interviews and the eligible individuals. The response rate for the screening phase was **90.5%**.

Table 3: Survey's response rate

	Frequency	%
Completed interviews	2800	69.6
Respondent refusal	242	6.0
Outside of target group	72	1.8
Scheduling interview (1 st attempt)	363	9.0
Scheduling interview (2 nd attempt)	48	1.2
Not realized survey after third contact (3 rd attempt)	9	.2
No answer (1 st attempt)	220	5.5
No answer (2 nd attempt)	54	1.3
No answer (3 rd attempt)	10	.2
Termination by the respondent during the interview	12	.3
The phone number does not exist; fax signal; company number	175	4.3
The phone number is temporarily disconnected	18	.4
Total	4023	100%

Calculation of the response rate

- Response Rate (RR) = **(Completed interviews) / (All eligible respondents)**
- Response Rate (RR) = **(Completed interviews) / (Completed interviews + refusals + Not realized survey after third contact + no answer after 3rd attempt) + Termination by respondent + the phone number is temporary disconnected)**
- Response Rate (RR) = 2800 / (2800 + 242 + 9 + 10 + 12 + 18) = 2800 / 3091 = **0.905**
- **Response Rate (RR) = 90.5%**

For the 2nd phase of the interview, from the total number of 1.817 respondents who reported experiencing a legal problem (eligible respondents), 1.627 respondents agreed to continue with the interview which amounts for 89.5% response rate.

Data collection & processing

The SPSS program was used, and the database was fully labelled in English. Additionally, open-ended questions are categorized (grouped) into appropriate codes (also labelled). Several “synthetic variables” have been generated to aid the analysis.

Limitations of the study

While legal needs surveys provide a unique overview of the experience of justiciable problems across populations, they have limits. They complement and situate, rather than supplant, other core sources of justice data (ex. administrative data; satisfaction surveys; victimization surveys etc.). The above limitations do not detract from the core utility of legal needs surveys, nor take away from the fact that legal needs surveys are flexible tools. Surveys can be used within a variety of research design frameworks and alongside other forms of data collection as part of a “triangulated” research design, in which multiple methods are used to obtain “a more detailed and balanced picture of the situation”²⁵.

Since it is a general population survey, it is not adequate to capture details of rare services or processes used, as these surveys inefficiently capture data concerning phenomena experienced by only a small proportion of respondents. Additionally, there are sections of the population missing from the survey’s sample frame (ex. prisoners, Roma/travelers, people living in temporary accommodation, people in immigration detention centers, street homeless and people without access to a phone). Some of these groups are among the most marginalized and vulnerable groups in society.

This survey also is not suitable to measure the experiences of discrete vulnerable populations (ex. victims of domestic and gender-based violence, sex workers, drug users etc.), which should have been more often separately investigated using methods other than surveys. Though the survey contained questions if the respondent has been a victim of some actions (i.e.. crimes and more specifically domestic violence or invasion of privacy) there might be hesitance in responding to such sensitive and private issues on the phone. This type of issue is more adequately researched via victimization surveys.

²⁵ Altrichter, H., A. Feldman, P. Posch and B. Somekh (2008), *Teachers Investigate their Work; An Introduction to Action Research Across the Professions*, 2nd edition, Routledge, London.

Part 1: PREVALENCE AND TYPES OF PROBLEMS

1.1 Prevalence of problems

66% of the surveyed respondents reported having experienced at least one non-trivial justiciable problem in the last three years.²⁶ The data from the survey has shown an increase compared with the 2012 study, where slightly less than half of the respondents (49%) reported experiencing a justiciable problem.²⁷ The problems related to **consumer rights** were reported most frequently (20.11%), followed by legal problems caused by injuries and other health-related issues (13.95%). debt and employment-related legal problems were equally distributed (both 11.3%). Other commonly reported problems included those related to discrimination, access to social protection, the realization of other rights in administrative procedure and protection of property. The problems less frequently reported related to family disputes, law and order as well as legal problems related to children.

²⁶ According to the OECD *Legal Needs Surveys and Access to Justice* report Despite significant variation in the design of the legal needs surveys a consistent big picture has emerged across diverse national contexts. The lowest estimate from the surveys was that 10% of adults experienced one or more problems over a two-year period (2016 Colombian survey) while the highest was that 90% of adults experienced problems over a four-year period (2015 Ugandan survey). Most commonly, estimates fell in the range of 30% to 60% over a three or four-year period.

²⁷ Korunovska Srbjanko, J. Korunovska, N. Maleska, T. Legal Needs and Path to Justice in the Republic of Macedonia. Foundation Open Society – Macedonia. Skopje, 2013. p. 37.

Table 4: Distribution of legal problems reported

Category of problems	Number of problems in the dataset ²⁸	% of problems	Projected number of problems every year ²⁹
Consumer rights	1683	20.11%	369,318
Injuries & health problems	1168	13.95%	256,306
Debt	950	11.35%	208,468
Employment problems	948	11.33%	208,029
Discrimination	798	9.53%	175,113
Problems with welfare	775	9.26%	170,066
Public services	551	6.58%	120,911
Real estate problems	518	6.19%	113,670
Law and order	428	5.11%	93,920
Problems with leasing	174	2.08%	38,183
Other family problems	162	1.94%	35,549
Problems with children	86	1.03%	18,872
Marital problems	85	1.02%	18,652
Renting property	44	0.53%	9,655

The incidence of problems reflects the possibility for Macedonian citizens to be exposed to these problems. For example, the most common problems are triggered by circumstances experienced by most of the adult population, i.e., problems that can happen to almost anyone in Macedonia. Analyzing the data by respondent³⁰, not by a problem, provides us with a similar conclusion regarding the most frequent legal issues that are affecting the population. The frequency of the occurrence of the different types of problems remains similar. Consumer rights, followed by money and debt-related issues and discrimination, are key problems affecting the individual respondents. This analysis also provides insight into the frequency of specific problems in a specific group. For example, though the problems related to renting a property might not be very noticeable among the general population, it obviously affects the specific group that is affected.

²⁸ Note: The number of problem should not be confused with the number of respondents. The respondents might reported more than one legal problem.

²⁹ An estimate of the number of non-trivial problems that the population in North Macedonia faces calculated on the basis of the resident population as calculated in the 2021 census.

³⁰ The respondent may not respond any problem or may report more than one problem.

Table 5: Prevalence of problems per respondent

Types of problems	# or eligible respondents	% of eligible respondents	# of persons reporting at least one problem	% of respondents reporting at least one problem within eligible group	% of respondents reporting at least one problem in the whole sample
Consumer rights	2,800	100.00%	788	28.14%	28.14%
Employment	1,317	47.04%	373	28.32%	13.32%
Property (real estate)	1,289	46.04%	244	18.93%	8.71%
Tenancy	78	2.79%	23	29.49%	0.82%
Renting property	103	3.68%	57	55.34%	2.04%
Discrimination	2,800	100.00%	315	11.25%	11.25%
Money & debts	2,800	100.00%	466	16.64%	16.64%
Social protection & other transfers	2,800	100.00%	499	17.82%	17.82%
Realization of rights before St. inst.	2,800	100.00%	385	13.75%	13.75%
Marital & partner disputes	1,493	53.32%	36	2.41%	1.29%
Other family matters	2,800	100.00%	147	5.25%	5.25%
Child relates issues	762	27.21%	30	3.94%	1.07%
Injury & health	2,800	100.00%	617	22.04%	22.04%
Law & order	2,800	100.00%	268	9.57%	9.57%

It should be noted though that some problems might be underreported because respondents are reluctant to disclose details. This might be true for problems with partners, domestic violence or facing charges for criminal offences.

The average number of legal problems encountered per person in a 3 years period is 3.3 – 1848 individuals reported a total of 6098 problems. A more sophisticated and more accurate count of the legal problems is to sum up all reported problems. For instance, if a respondent reported that she has had three times the problem “Disputed interest rates” (individual problem from the Debt category) in the calculation above, only 1 problem will be counted because it is the same type. In this calculation, the respondent will be counted 3 times. Another note is that in the dataset, there were several outliers, whereas the respondents reported many instances of individual problems – i.e. 50, 70, 90 etc. To deal with this data issue, we assumed that such cases indicate multiple experiences with the same problem. Therefore, we capped the value to 10 (i.e. if 50 experiences are reported, the value was replaced with 10.). After this calculation, we found that the people

who reported one or more legal problems in North Macedonia encountered on average 4.6 problems. 1848 individuals reported a total of 8370 problems (when the frequency of the problems is counted as well).

What does this mean for the adult (the sample consists of 18+) population? The total population of North Macedonia is 1,836,713 as of 2021. The proportion of 0-19 is 22.6%. With some imprecision (the Census data is for 0-19, whereas the survey excludes 0-18 individuals), we can say that the adult population is around 77.38% of the total population or around. The total adult population is roughly: 1.420.000³¹ individuals. Every three years 66% of the population encounters one or more problems. This makes 940.000 individuals who encounter legal problems every three years. Every three years 940.000 individuals encounter 4.300.000 legal problems (938.024 * 4.61). A simple annual calculation leads to the conclusion that every year there are around 300.000 individuals who encounter legal problems. Another extension of this is that every year these 300.000 individuals have to deal with 1.450.000 legal problems. With this survey, we see approximately how many of these problems find resolution and hence how big is the justice gap in North Macedonia.

1.2 The socio-demographics behind the legal problems

One of the objectives of the survey is to look at how the legal problems are distributed among the different sociodemographic groups. Justiciable problems are not randomly distributed across populations. Particular problems are associated with particular social groups or stages of life. According to some authors “socioeconomic disadvantage is pivotal” to the social patterning of problems.³² Surveys have repeatedly demonstrated associations between disadvantage and justiciable problem experience.³³

The data from the survey shows that socio-demographic characteristics are playing role in determining the prevalence of justiciable problems. One of the factors that influence the prevalence of justiciable problems is age. The likelihood of experiencing a justiciable problem decreases with age. The peak of groups reporting legal problems is between 18 to 44 years after which there is a steady decline. Three quarters of the respondents within this age group reported experiencing a legal problem. However, whether decreasing reporting rates of problems among older respondents actually reflects a decline in the prevalence of

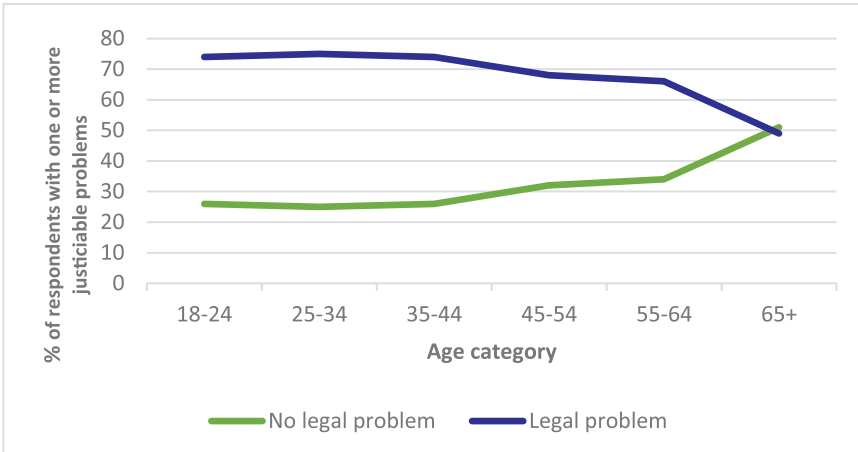
³¹ The projected numbers in this section are rounded to make it easier to read and understand, also to avoid the impression that the generalizations are extremely precise.

³² Coumarelos, C., D. Macourt, J. People, H.M. McDonald, Z. Wei, R. Iriana and S. Ramsey (2012), Legal Australia-Wide Survey: Legal Need in Australia, Law and Justice Foundation of New South Wales, Sydney.

³³ OECD and Open Society Foundations (2019). Legal Needs Surveys and Access to Justice. p. 31.

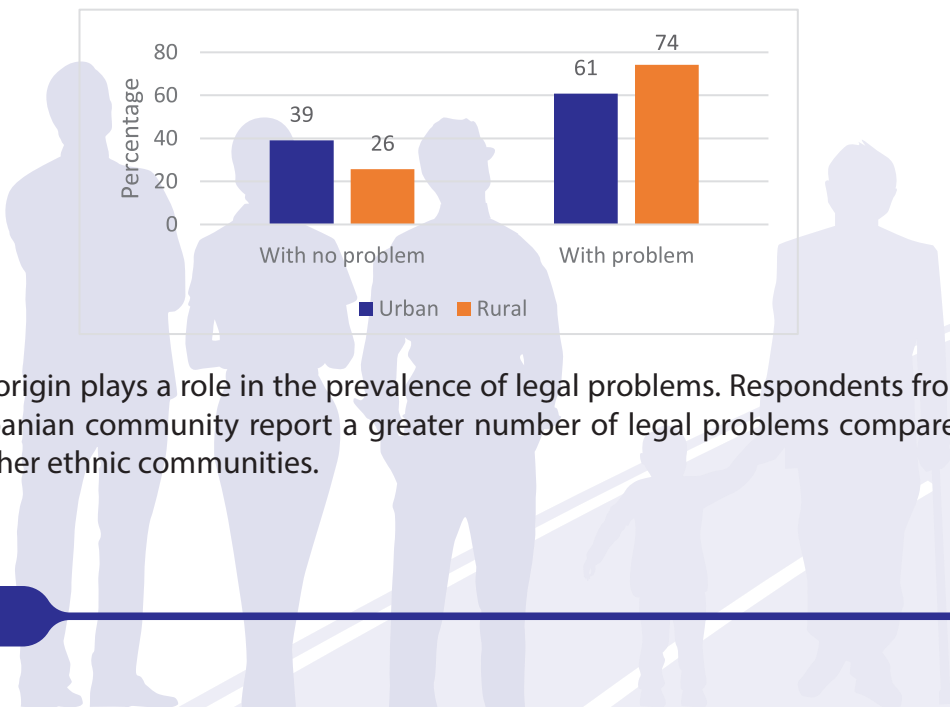
problems is questionable. The elderly may face problems in recognizing whether they are facing some justiciable problem and might be more reluctant to share it in a survey.

Figure 1: Prevalence of justiciable problems among different age groups



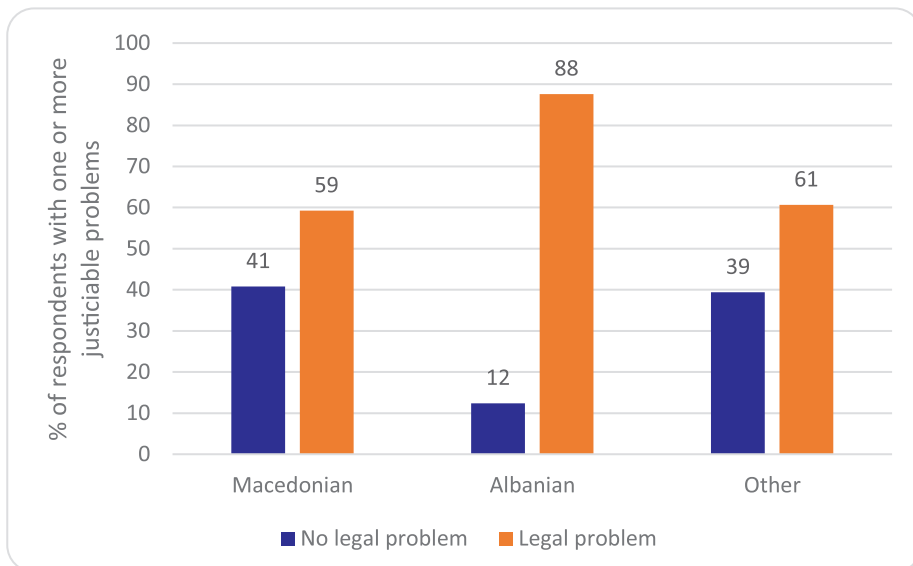
The gender is to a certain extent a modest predictor of the likelihood for experience since 69% of the male respondents reported justiciable problems compared with 63% of the female respondents. A much more important factor is whether the individual lives in urban or rural areas. Persons living in rural areas are 13% percentage points more likely to experience legal problems compared with their urban counterparts.

Figure 2: Prevalence of legal problems and the place of residence



Ethnic origin plays a role in the prevalence of legal problems. Respondents from the Albanian community report a greater number of legal problems compared with other ethnic communities.

Figure 3: Prevalence of justiciable problems and affiliation to ethnic group



1.3 A glimpse into the types of problems reported

i. Consumer rights

The legal problems related to consumer rights were the most common problems reported in the data set with 28.14% of all respondents reporting experiencing at least one. Looking at the types of problems, the majority (47.33%) reported problems with purchased goods or services (i.e.. consumer fraud; defective products; fake guarantee or poor quality service etc.), followed by problems with safety of a product, and the failure of the seller to repair, replace or take back the product (29.89%). Problems such as signing a contract without understanding it, not being able to get out of the contract after having second thoughts or getting into a serious dispute about what a contract required are also noticeable (15.99%). Other consumer-related problems are present with a smaller percentage (7.4%). 0.9% of the respondents who reported consumer problems faced problems with online shopping and the delivery of goods and services (i.e. no delivery, wrong product etc.).

Figure 4: Frequency of consumer-related problems (Base = 1.683)

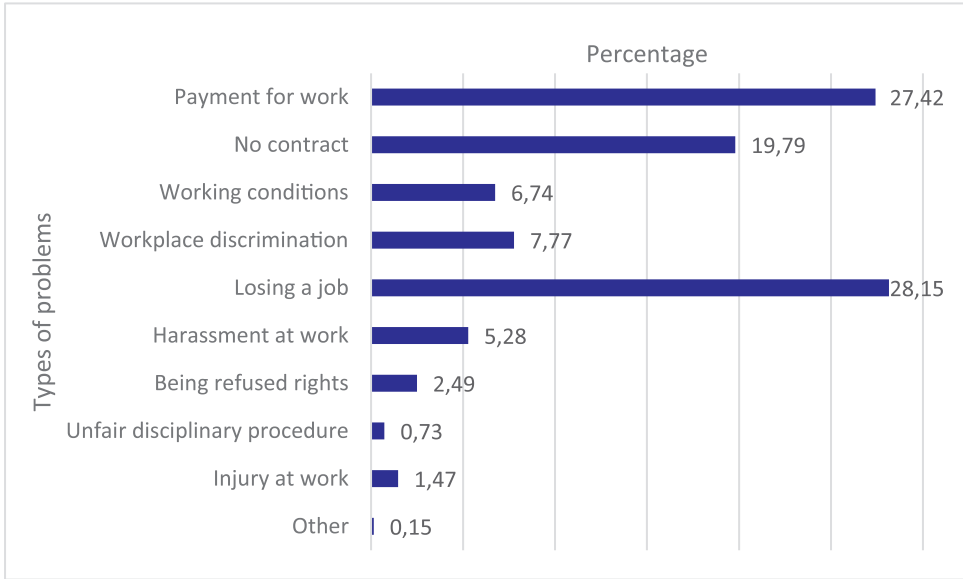


Age plays a role in determining the likelihood of a person experiencing problems related to consumer rights. The respondents above the age of 65 are more likely to experience problems with purchasing goods and services compared with the other age groups. No significant disparities exist with regards to this type of issue concerning the gender, education and even income of the respondent (though this only relates to the issue of whether the person experiences the problem, not whether he/she takes measures to resolve it).

ii. Employment

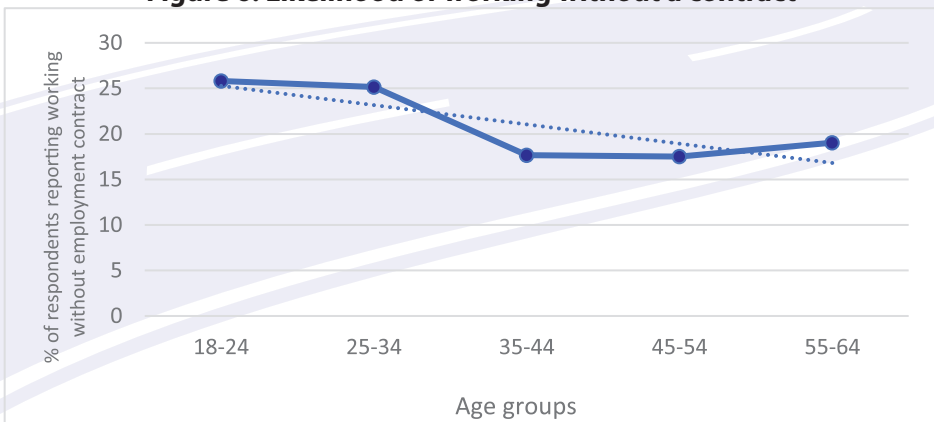
From the total number of respondents who responded that they are or have been employed in the past three years (1.371), including those who worked without an employment contract, 28.32% (373) reported that they have experienced at least one legal problem related with the employment. More than 1/3 of them have reported more than one problem. This means that each fourth employee is facing a non-trivial justiciable problem related to employment. With regards to the type of the problem, the majority of employment issues are related either to an alleged unlawful termination of the employment or related to payment and calculation of salary, overtime, contributions, payment for absence, compensation for vacation etc. These two types of problems are constituting more than half of the problems reported. Next is working without a contract which may include either that the employee does not have access to the employment contract or his employment is not registered at the competent public authority and the social contributions are not paid on behalf of the employee.

Figure 5: Frequency of employment-related problems (Base = 948)



When looking at gender as a factor, among all other types of problems (with exception of the harassment at work), there is no significant discrepancy. The data shows that women are twice more likely to be victims of harassment however the sample size (33 individuals reported harassment) is too small to make any conclusions. Another factor related to reporting harassment is education. Persons with a higher degree of education (bachelor's or master's degree or higher) are four times more likely to recognize and report harassment. With regards to age, the younger employees (18 – 24 years) are twice more likely to experience alleged unlawful termination of employment compared with other age categories. Similarly, the prevalence of working without an employment contract decreases with age.

Figure 6: Likelihood of working without a contract

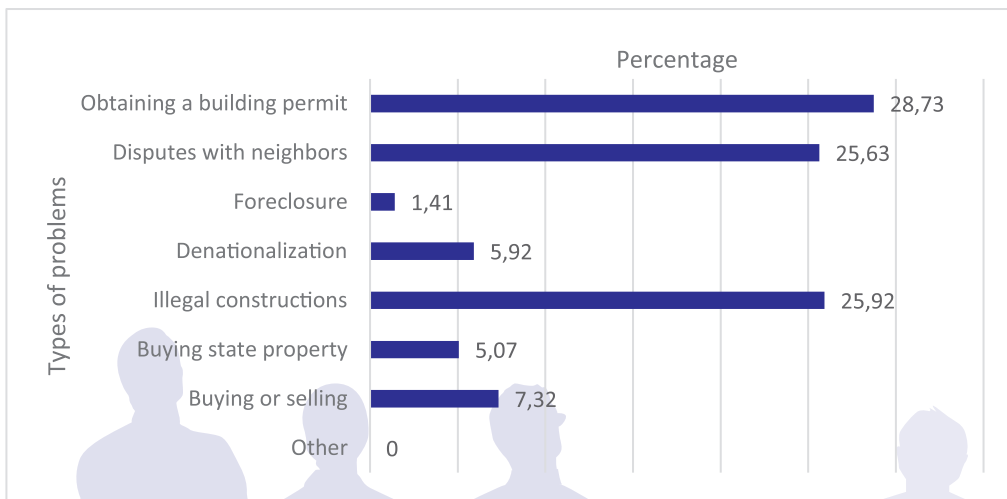


The income of the respondent can also be a predictor of the type of the problem. People with low-paying jobs are more likely to work without a contract, experience termination of employment, face obstacles in realizing their rights as employees and especially experience injury at work.

iii. Property (Real estate)

From the total number of 1.289 respondents who reported owning real estate property, 18.99 % (244) reported experiencing at least one legal problem related to their property. The majority of the problems reported are concerning the process of obtaining building permits and recording property rights in the public records(Cadaster). The legalization of illegally constructed buildings is also pointed out as a problem though this finding should be taken with caution since, in the survey timeframe, a significant proportion of the requests and procedures for legalization was stopped because of a legislative gap, not as a genuine legal problem. Disputes with neighbors constitute ¼ of the reported problems in this category. The other problems are present with smaller incidence.

Figure 7: Frequency of property (real estate) related problems (Base = 518)

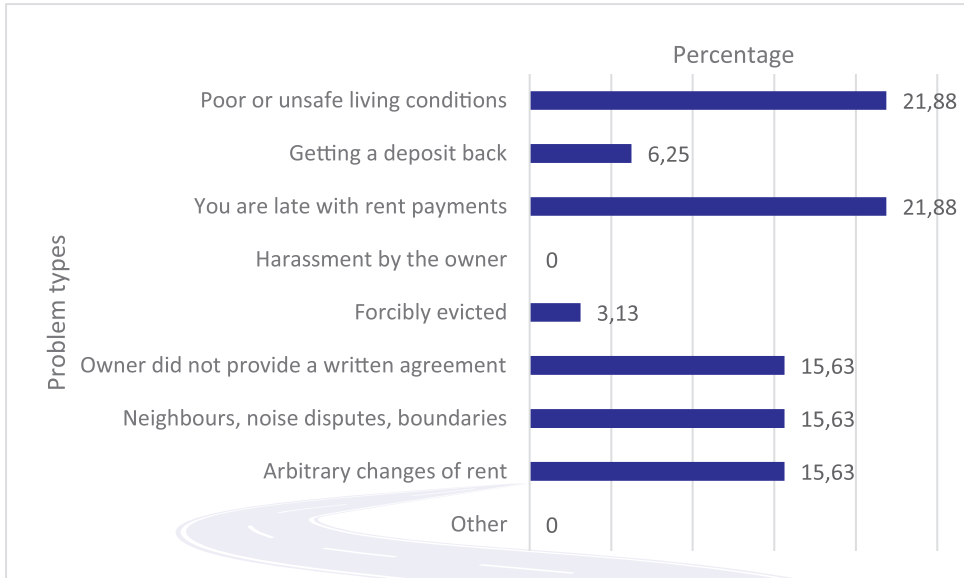


Concerning the socio-economic factors, the respondents of the Albanian ethnicity reported significant difficulties in obtaining building permits & recording the rights in the Cadastre compared with the other ethnicities. Similarly, people living in rural areas are experiencing challenges with these specific problems compared with their peers living in urban areas. A noticeable linkage exists between real estate problems and education. The higher the education, the less likely is that the person will report problems related to owning property.

iv. Tenant-related problems

Though the sample size of respondents living in a rented apartment is relatively small (78), compared with the overall sample of the survey, it gives an insight into the types of legal problems that are faced by tenants. Almost 1/3 of the tenants responded that they encounter a legal problem in the past three years. The problems most commonly are related to the conditions of the rented property, lack of written agreement and arbitrary changes in the rent.

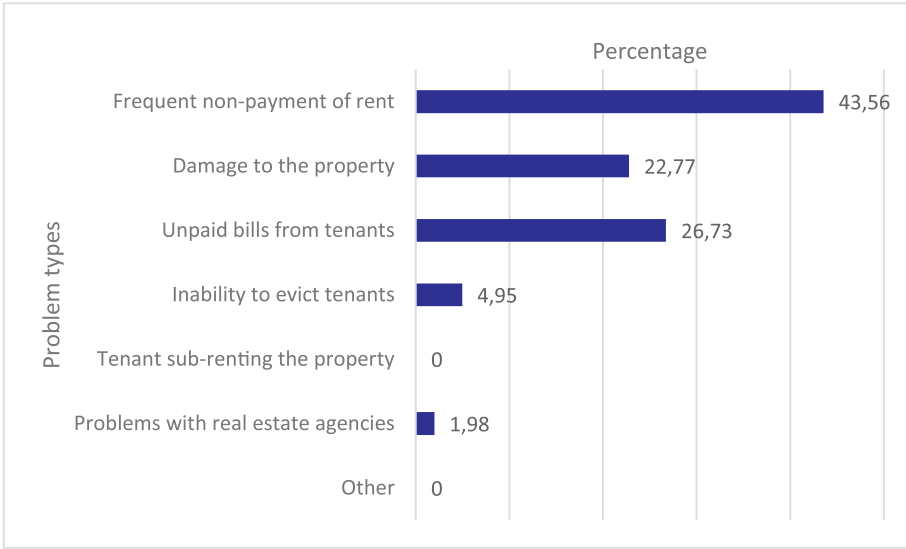
Figure 8: Prevalence of problems related to tenants (Base = 174)



v. Landlord-related problems

More than half of the respondents who are renting out property (103) reported legal problems with the tenants. Over 90% of the reported problem include: the inability to collect the rent that is due, unpaid utility bills from tenants and damaged property.

Figure 9: Prevalence of problems related to landlords (Base = 44)



vi. Discrimination

One in ten of the respondents reported that in the past three years experienced unequal treatment. Of the total number of 337 persons who reported discrimination, almost 25 % experienced discrimination on more than one occasion. The majority of respondents who experienced discrimination stated that political affiliation was a ground for the unequal treatment against them (58.29%) followed by ethnicity with 19.67% and age with 9%. Discrimination based on other grounds is reported less often. However, concerning sexual orientation as a ground for discrimination, the data should be taken carefully due to the lower likelihood of reporting as a result of societal stigmas.

Table 6: Frequency of discriminatory grounds (Base = 798)

Discrimination ground	Percentage
Age	9 %
Gender	1.66 %
Sexual orientation	0.24 %
Ethnicity	19.67 %
Religion	3.55 %
Disability	3.08 %
Political affiliation	58.29 %
Pregnancy	1.9 %
Marital status	2.37 %
Other:	0.24 %

The socio-demographic profile of the respondent places a certain role in experiencing discrimination. Discrimination based on age is reported more frequently by the age groups 55-64 and 65+. Ethnicity is also a factor for some forms of discrimination. Ethnic Albanians are experiencing discrimination based upon political affiliation much more commonly than the ethnic Macedonians or other ethnicities. They also report discrimination based upon ethnicity more commonly though the majority of the respondents from other ethnicities have responded that they have experienced discrimination based on ethnicity.

Table 7: % of ethnic groups reporting discrimination on specific ground

	Macedonian	Albanian	Other ethnicity
Age	10.34	8.39	15.38
Gender	3.45	1.24	0
Sexual orientation	1.15	0	0
Ethnicity	13.79	19.88	53.85
Religion	2.3	3.42	15.38
Disability	10.34	1.24	0
Political affiliation	49.43	62.73	7.69
Pregnancy	1.15	2.17	0
Marital status	8.05	0.62	7.69
Other	0	0.31	0

The education has a significant impact on whether the individual experienced, recognized and reported discrimination based upon the political ground. In contrast, it has an opposite effect regarding discrimination based on ethnicity. The higher the education has the respondent, the less likely he/she will report discrimination.

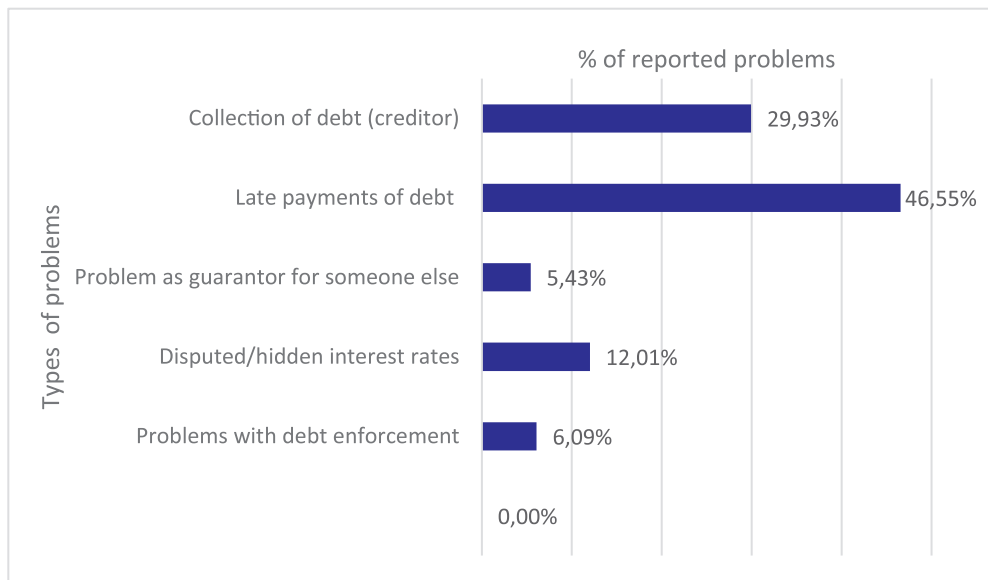
vii. Money & debt

A 16.64% of the respondents experienced some type of legal problem that is related to money and debt. These problems are especially affecting low-income individuals and have a direct impact on their subsistence and the livelihood of their families. Therefore a greater understanding of the different types of problems in this area can help to identify specific measures to facilitate access to legal remedies in this specific problem group. If we look into the different types of problems the most common ones are consequences of late payments of debt (46.55%). Warning notices, late payment of interest, penalty fees (for so-called “pay day” loans), the realization of liens (mortgages), and initiation of the procedure for debt recovery before notaries and enforcement agents are examples of the different problems that are consequence of

the late payments. Each of these actions is grounded in the law, and both the debtor and creditor have upon their disposal different legal remedies.

The late payments are followed by problems reported by the respondents (29.93%), in their capacity as creditors. Ensuring that the money leased is returned timely is also essential. Disputes with hidden interest rates, problems with enforcement procedures as well as being a guarantor for someone else's debt are reported in a smaller percentage.

Figure 10: Prevalence of types of problems related to debt (Base = 950)



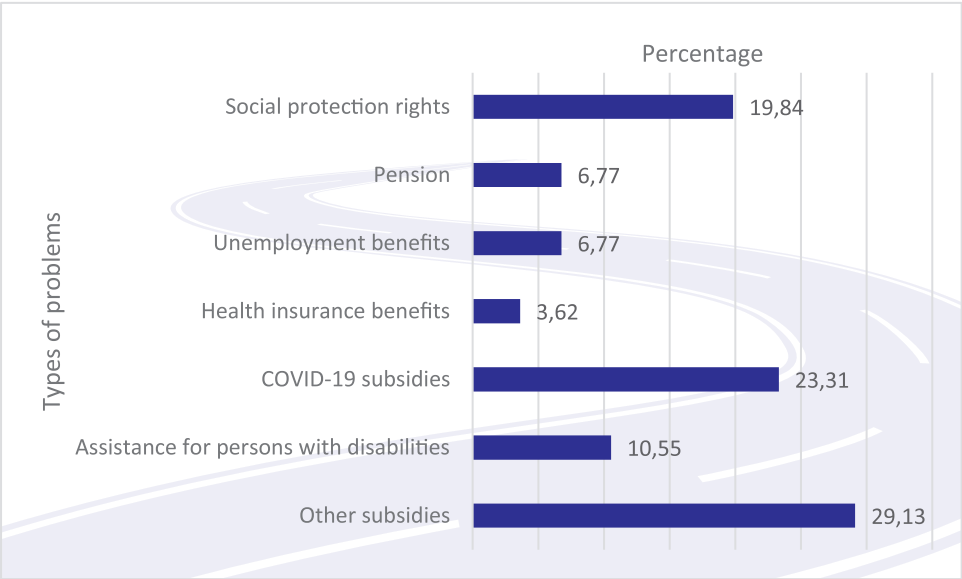
Women were more likely to experience problems related to the collection of debt while men reported a greater incidence of problems related to late payments of loans or other types of debt. Among age groups, the elderly population is facing greater problems in the collection of debt compared with the younger categories. There is a significant disparity between the Macedonian and Albanian populations where 52.09 % of the respondents from the Macedonian ethnic group experience problems with collecting debt compared with only 5.73% among the Albanians. Contrary, 70.61% of the Albanian respondents reported problems with late payments compared with only 25.08% of the Macedonians. The rural population is experiencing greater problems with repaying debt compared with their urban peers. Regarding the education distribution, the persons with a lower level of education are experiencing more frequent problems with repaying debt, while persons with a higher level of education are more frequently reporting disputed or miscalculated interest rates (which indicates that persons with lower education might not be able

to recognize this problem. A similar trend can also be seen with regard to income as a factor. The lower the income of the individual, the more likely it is that they will experience problems such as late payments. The socio-demographic background does not seem to have an impact on the prevalence of problems related to debt enforcement which are evenly distributed among different categories.

viii. Social protection & other financial support from the state

The problems within this group, aside from social welfare cash benefits, encompass a wide array of other transfers from the state (or local) budget to individuals. Such transfers include pensions (including disability pension), benefits for unemployment, health insurance benefits (i.e.. maternity leave, sick leave etc.), and assistance for persons with disabilities. Additionally, due to the time frame of this survey, the COVID-19 related subsidies were also included in the questionnaire. According to the results of the survey, 17.89% of the respondents (499) reported experiencing at least one justiciable problem related to this problem group.

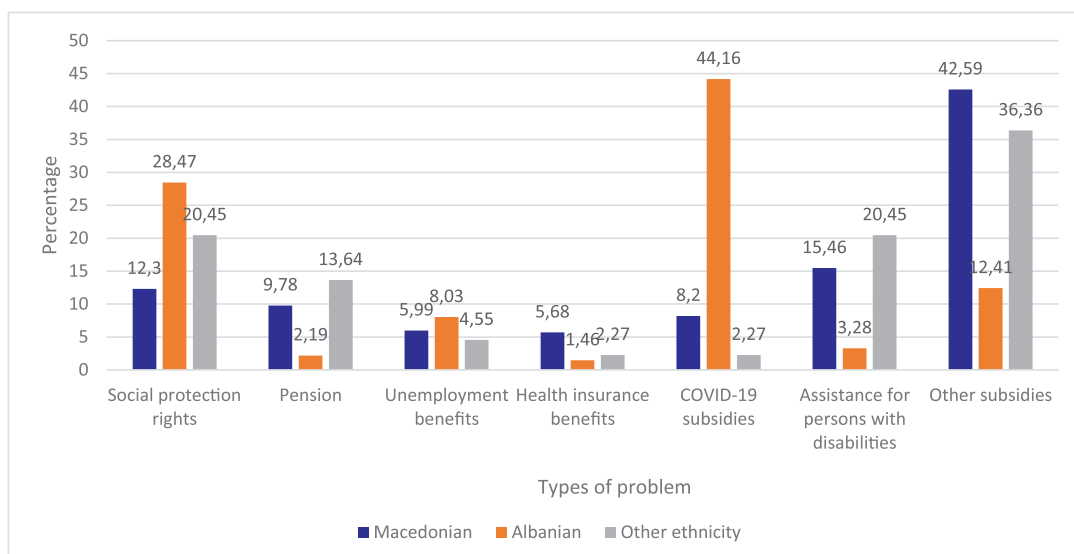
Figure 11: Types of problems related to social protection & other financial support (Base = 775)



The majority of the respondents reported that they had “other” welfare problems. Within this category, most likely there are transfers such as agricultural subsidies, subsidies for electrical energy, replacing heating systems with eco-friendly substitutes, subsidies for bikes etc. They are followed by ad-hoc COVID-19 subsidies, which encompass a wide array of different measures for alleviating the economic, social and health consequences of the pandemic. Social protection rights are third on the list, with almost 20% of all reported problems.

There is no significant gender gap in accessing social protection and other transfers with sole exemption of health insurance benefits. Here, women are twice more likely to experience such problems. This could be a result of the fact that women, especially by using paid maternity leave (covered by health insurance), are much more frequently using this benefit. A more noticeable difference exists if we look at the ethnic affiliation of the respondents (See Figure 12). Albanian respondents reported more frequently problems related to social protection and unemployment benefits, while Macedonian respondents reported more issues with receiving pensions, assistance for persons with disabilities as well as other subsidies.

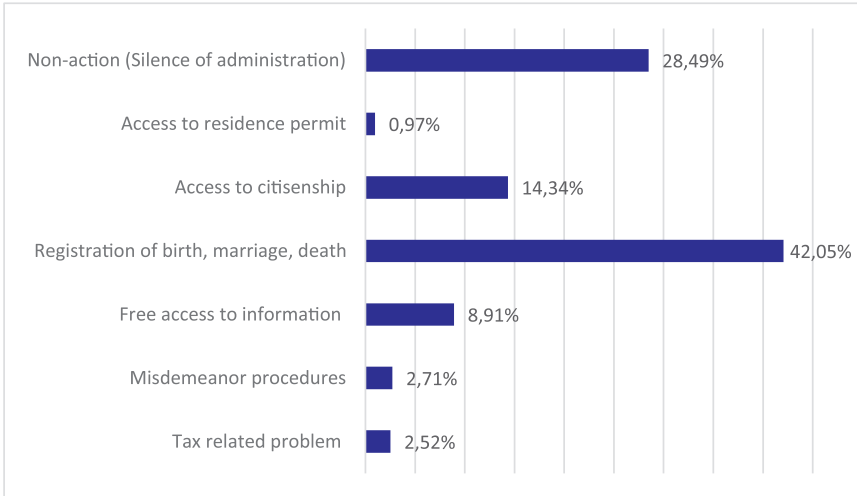
Figure 12: Social protection and other transfer & Ethnicity



ix. Realization of other rights before public administration

This extensive and not very specific category of legal problems groups several particular issues related to the realization of **specific rights** before **administrative bodies** in an **administrative procedure** or if the respondents are subject to **misdemeanors procedures**. The legal problems within this group are very important since they are related to the timeliness and effectiveness of the work of public administration. From the sample, 13.75% of the respondents (385) reported experiencing at least one problem related to this group. According to Figure 13, the most common problems are related to the registration of birth, marriage or death at the Personal Registry, followed by the silence of the administration i.e. the situation when and the administrative body does not issue any decision or response within the time limit prescribed by law.

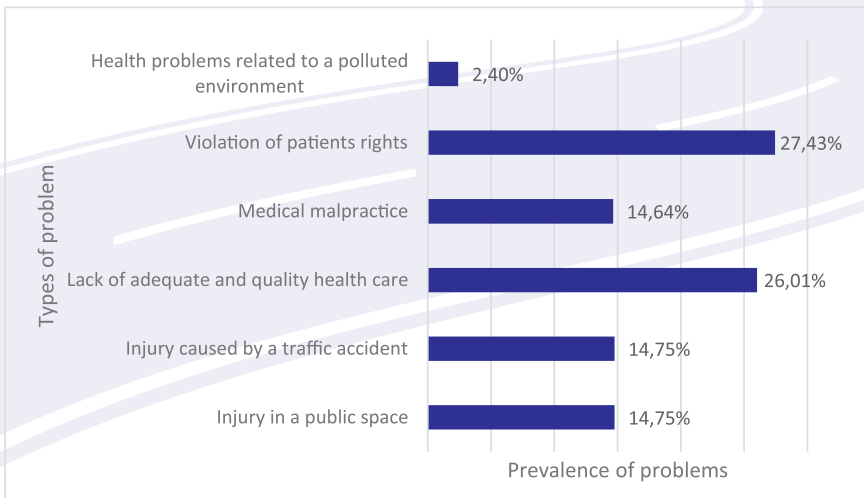
Figure 13: Frequency of problems related to the administrative procedure (Base = 556)



x. Injury & health-related problems

This group of problems encompasses different situations in which persons can find themselves when experiencing injury or other health-related problems. Though at first glance these problems might not seem legal, all of them are grounded in laws as specific rights and there are different legal pathways for their resolution. 22.04% of the respondents reported experiencing at least one problem related to injury or health. 34% of the respondents who reported legal problems reported problems related to health and injury. The most common problems include violation of patients' rights, lack of adequate healthcare as well as medical malpractice.

Figure 14: Prevalence of health and injury-related problems (Base = 1.168)



Young people are more commonly experiencing injury by a traffic accident compared with the other age groups while contrary, while the older groups are experiencing problems with their rights as patients.

xi. Marital & other problems with partners

2.41% of the total number of respondents who reported being married or living with a partner in the past three years (1.493) have reported experiencing at least one justiciable problem related to the marriage or the partnership. This, relatively small number of problems, compared with other categories is to a certain extent unanticipated since in all key reports on types of problems for which legal aid has been provided, this type of problems is usually among the first three types. The reasons for this are two. Firstly, the respondents might be more hesitant to share information about problems that are part of their private life in such a type of survey. secondly, it might also show that despite that for certain issues there is a high demand for legal aid does not necessarily mean that that this problem is very prevalent among the general adult population. This, of course, raises the important question about the balance in responding to very frequent and very serious issues.

If we look at the different types of problems reported, the most common ones are divorce (or separation of informal partnership) followed by, division of matrimonial assets as result of divorce, violent or humiliating behavior from a partner was reported in 19.30% of the reported case. Looking at the general survey sample, the number of reported cases of spousal or partner violence might low and insignificant but this should in neither way whatsoever result in drawing conclusions that the prevalence of domestic violence is negligible. As indicated in the methodology section, victimization surveys are more adequate for measuring the occurrence of domestic violence. The limited sample size prevents also analyzing the sociodemographics behind this type of problems.

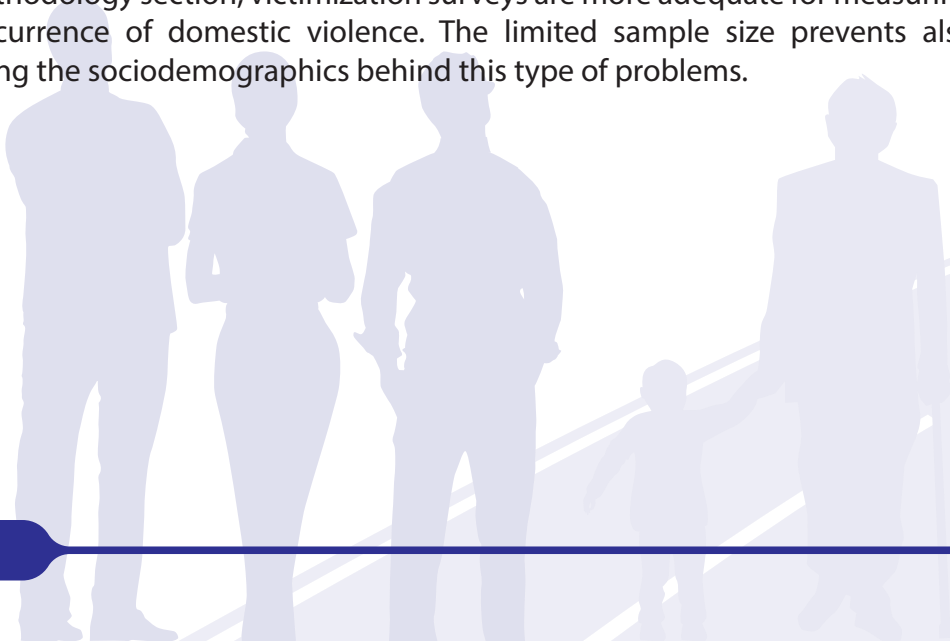
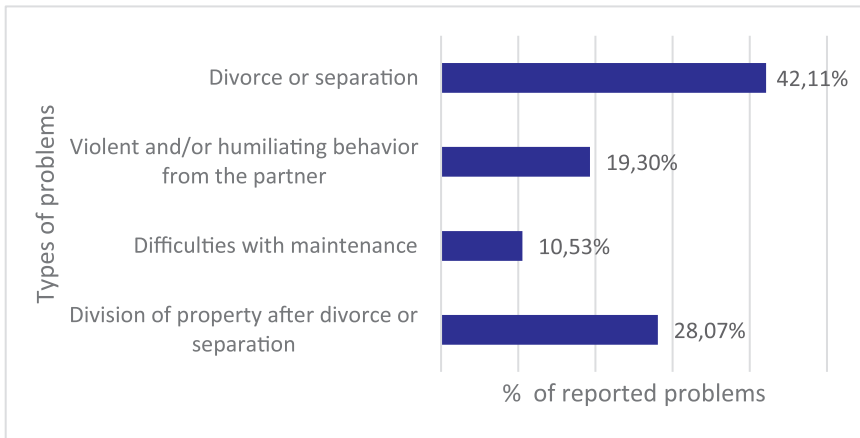


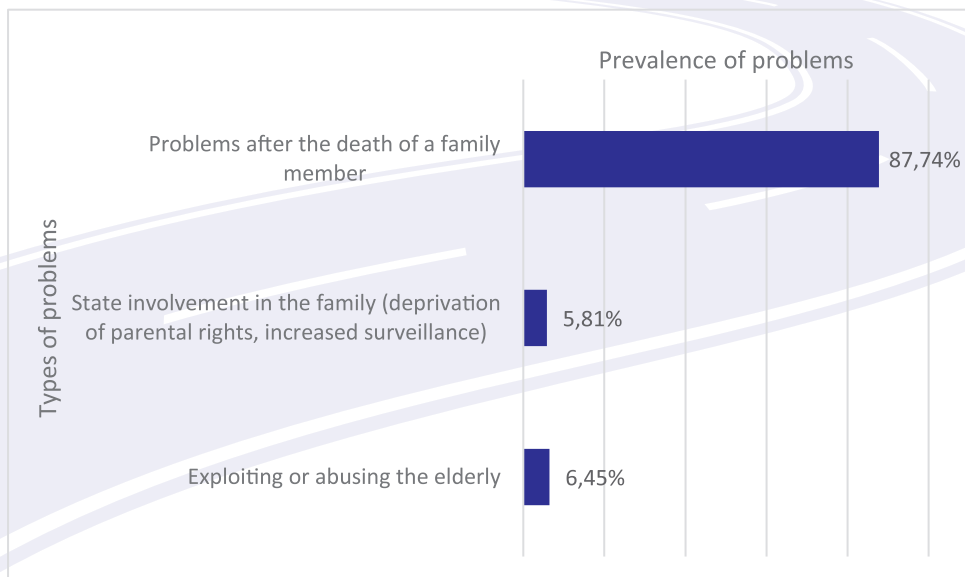
Figure 15: Types of marital/partner's problems (Base = 85)



xii. Other family problems

5.25% of the respondents (147) reported experiencing other family-related justiciable problems. Within this group there are problems concerning the death of a close relative (disputes related to inheritance, unpaid bills etc.), abuse or neglect of elder family members as well as state intervention in family matters (through the engagement of social services). The vast majority of problems in this section are related to legal problems caused by the death of family members. The problems might include disputes related to the inheritance, challenging gifts given before death, legal recognition of wills etc. The other two sub-categories are less present.

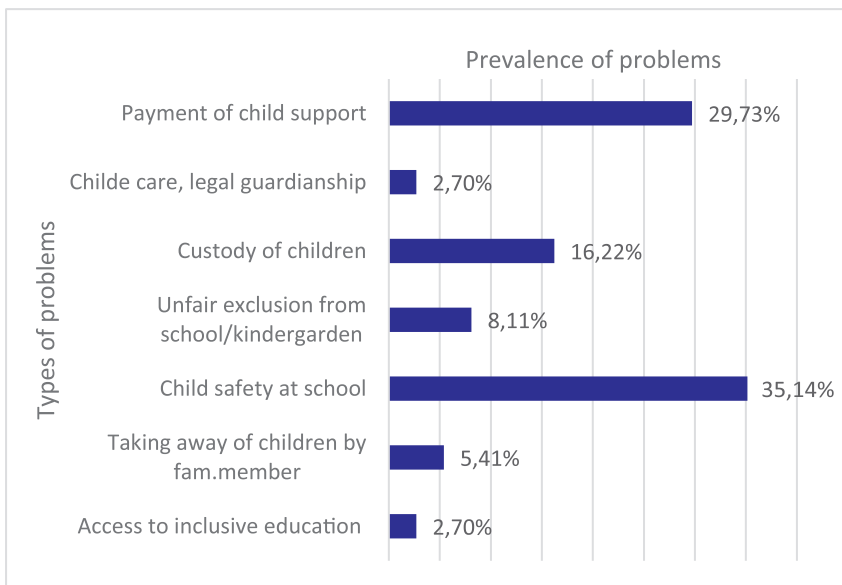
Figure 16: Types of other family problems (Base = 162)



xiii. Problems related to children

The respondents who reported having children below the age of 18 in the past three years (762 from the 2.800 respondents in the sample) were asked if they experienced several specific children-related justiciable problems. From this group, 3.94% (30 respondents) reported facing at least one problem. A total number of 86 problems related to children were recorded. From the problems reported, incidents related to the safety of the children are most frequent. They are followed by either non-payment or delayed payment of child maintenance (alimony) by a parent) and the disputes related to custody.

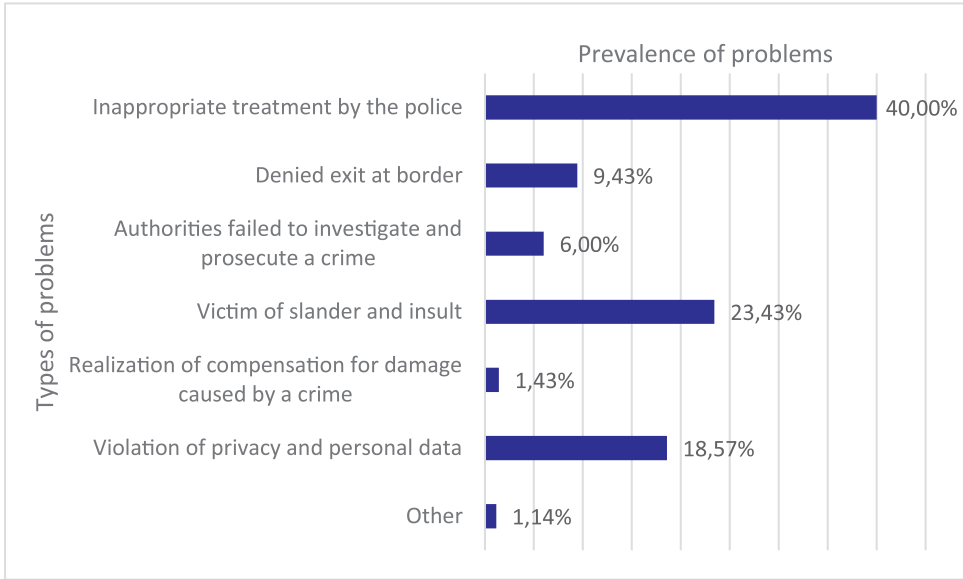
Figure 17: Types of problems related to children (Base = 86)



xiv. Law & order

The law and order category entails several different types of legal problems in which the respondent has been a victim (or injured party) and whose resolution lies within the law enforcement institutions (police and public prosecution) as well as the courts. Almost 10% of the respondents reported experiencing at least one of the problems within this group. From the total number of problems, over 40% are related to experiencing inappropriate treatment by a police officer – both verbal and physical. 23.43% reported being victims of slander and insult, either in public or online followed by 18.57% reporting violation of privacy and personal data.

Figure 18: Types of law and order-related problems (Base = 428)



There is a significant gender gap among the respondents who reported having problems related to the law and order. Male respondents are more likely to be victims of inappropriate treatment by the police, while women are twice more likely to be victims of slander and insult as well as violation of privacy and personal data.

Albanian and other ethnicities have reported a greater prevalence of denied exit of the national border as well as inappropriate treatment by the police. Albanian respondents reported significantly fewer events of slander and insult as well as violation of privacy and personal data, compared with the Macedonian and other ethnic groups. Education also seems to play a role in reporting police mistreatment since persons having higher levels of completed education are more likely to identify and report a police mistreatment case. Income is an important factor in predicting whether the person will encounter the failure of authorities to investigate and prosecute a crime in which the respondent was the victim.

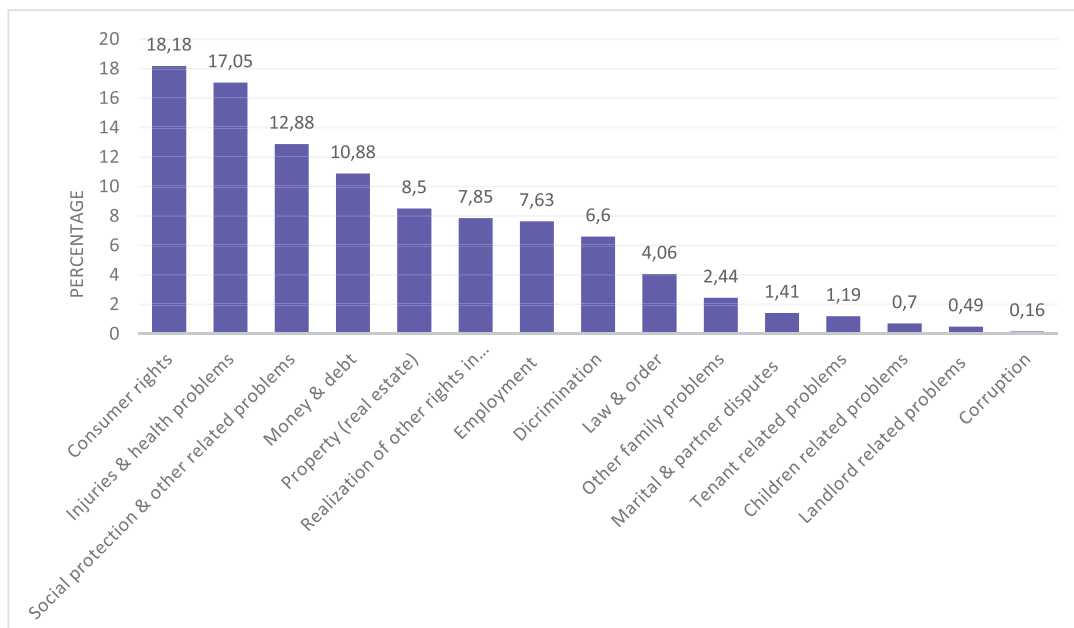
Part 2: PATHS TO JUSTICES – A VARIETY OF ALLEYS

2.1 General information about the problems

The data gathered in the first part of the survey (Screening) unpacked the question – “Have you experienced any of these problems in the past 3 years”. By the nature of the problem, the respondents were able to select more than one problem. Two-thirds of the respondents (66%) reported more than one problem. On average, people encountered 4.6 legal problems for the 3-year period. In this part, the study zooms in on one of the problems in order **to map the patterns of problem resolving/seeking behavior as well as to identify obstacles in accessing legal services and processes (i.e. poor service delivery, lack of available legal aid, unresponsive institutions etc.)**.

The questionnaire asked about the second most recently experienced legal problem. The reason for selecting the second most recent problem is to avoid very recent problems which might have occurred shortly before the interview and hence are more likely to be unresolved. From a data perspective, this approach means that **each of the 1848 individuals who reported a problem focused on one of these problems**. Figure 19 represents the distribution of the problems reported by problem type.

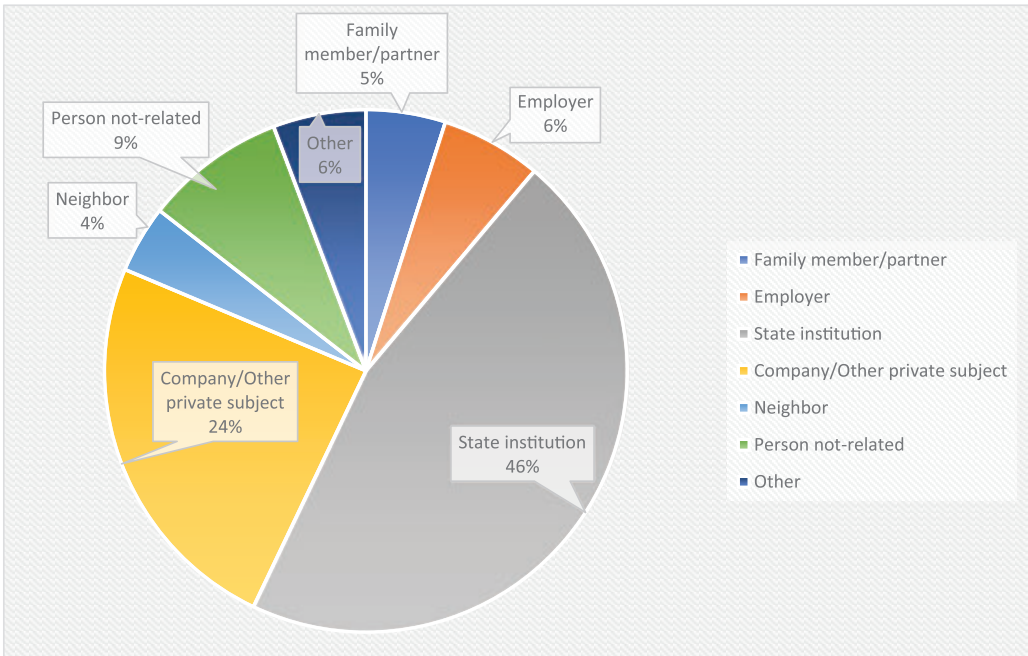
Figure 19: Distribution of problems reported by problem type in % (Base = 1.848)



i. The opposing side

Next, another important issue was identifying who was on the other side of the problem. Who was the subject with whom the respondent experienced disputes of legal nature? Identification of the opposing side is relevant for the assessment of the problem-solving behavior. It is important to assess to what extent the type, power and characteristics of the opposing sides impact the actions (or lack of it) to identify whether there is an association between these two variables. As can be seen from Figure 20, 46% of respondents, reported that **state institutions** (encompassing ministries, agencies, directorates, public institutions, public enterprises and other subjects with public authorizations) are the predominant *opposing side* of the problems reported. The state institutions are followed by **companies or other privately-owned subjects** (i.e.. utility providers, retailers, industries) with 24%. Not-related persons (i.e.. individuals with whom the respondent has some dispute) were present with 9%. Other non-specified subjects, employers, family members/partners, neighbors are represented with lesser frequencies.

Figure 20: Distribution of the different types of opposing sides



ii. Status of the problem

The second element was the current status of the problem, whether it has been finished or is still ongoing (notwithstanding if the respondent has taken action to resolve it or not). Additionally, if the problem was resolved it was important to identify whether it is completely resolved or only one part of it had been resolved. According to the data, almost 60% of the reported problems were reported as completed while 40% as still ongoing. Of the problems that were reported as finished, over 81.6 % were completely resolved, while 18.4 % were only partially resolved.

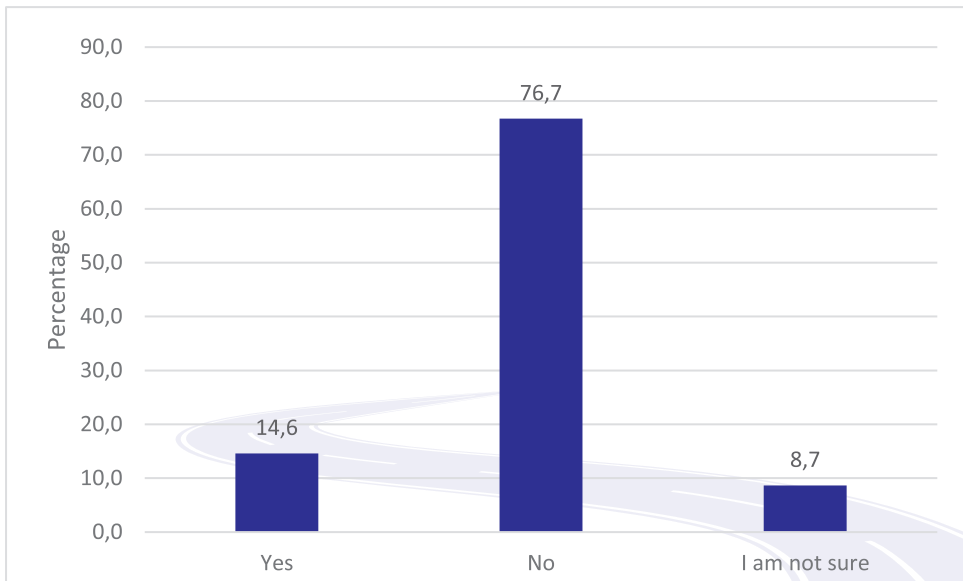
Table 8: Status of the problem

What is the current status of the problem		
Status	Number	Percentage
Ongoing	663	40.7
Finished	965	59.3
Total	1627	100.0
If the problem is finished, what was the outcome?		
Problem is completely resolved	787	81.6
Part of the problem is resolved	178	18.4
Total	965	100.0

iii. COVID-19 and the legal problems

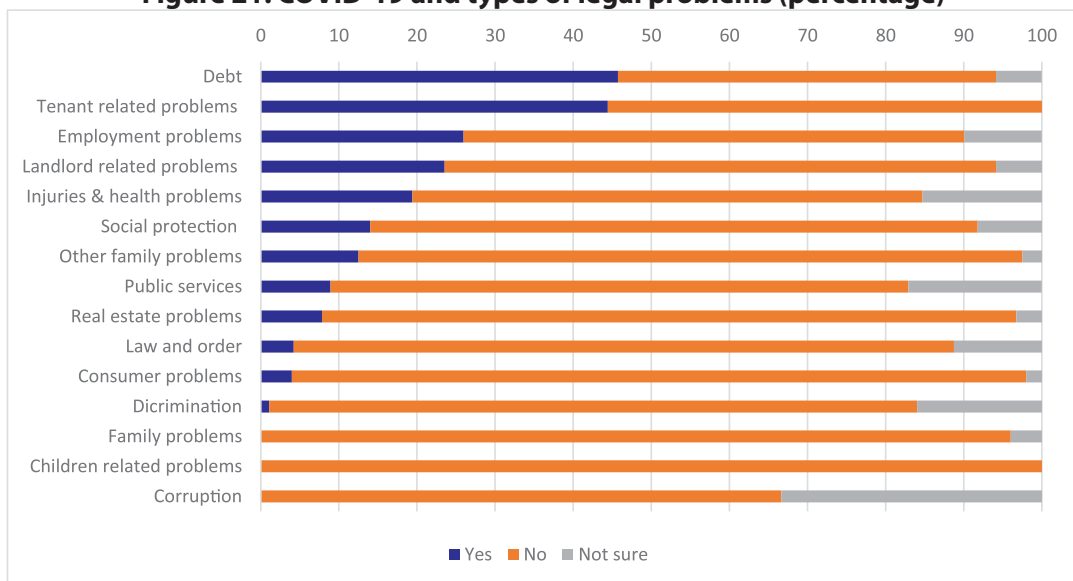
Since the period subject to this study corresponded to a great extent with the worldwide pandemic caused by the COVID-19 virus, which caused significant health, social and economic crises, the research team consider it necessary to assess whether it had also effect on the legal problems. The respondents were asked to respond if the problem occurred as a direct result of COVID-19. According to the respondents, only a limited number (14.6%) of respondents reported that their problem was caused by the pandemic, while 8.7 % were not sure. Over $\frac{3}{4}$ responded that the problem was not caused by the pandemic.

Figure 21: Were the legal problems caused by the COVID-19 pandemic? (Base = 1.627)



Though at first sight the impact of the pandemic on legal problems does not seem as significant as it was expected, another perspective can be obtained if we analyze this response within the different types of legal problems. As can be seen from Figure 21 there was a significant difference in the impact of the pandemic on the different types of legal problems. Almost half of the reported problems related to **debt & money (45,74 %)** and to **tenancy (44,44%)** were caused by the effects of the pandemic. One quarter of the problems related to employment was reported as a result of the pandemic.

Figure 21: COVID-19 and types of legal problems (percentage)



2.2 Overview of the paths to justice used

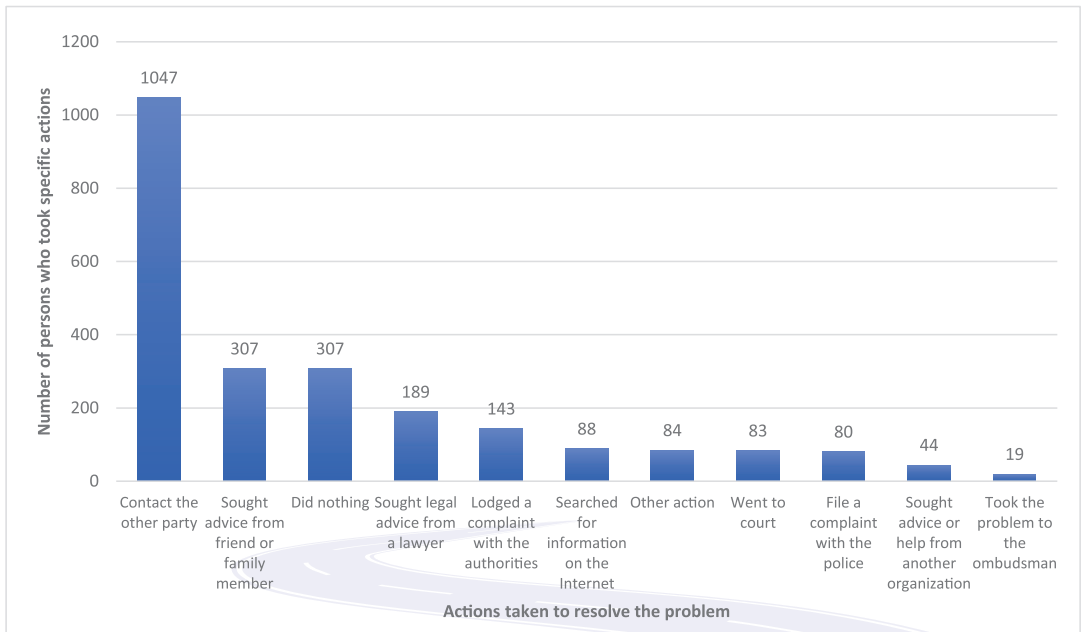
i. What are the people doing when facing a legal problem?

Next, the study looks at the actions that people undertook to resolve their legal problems. **Most people of North Macedonia do something to resolve their legal problems. However, we see that 19% said that they did nothing to resolve their problem.** Below in Section 2.3, we dive deeper into the reasons for the inaction.

Overwhelmingly, **the most often used “path to justice” is to contact the other party in the dispute or grievance.** In 63% of the cases the respondents who had a problem said that they have made a contact with the other party in an attempt to resolve the issue. The other strategies are used considerably less commonly. Around 20% sought **information from someone in their environment (friend or relative)**, 11% sought information from a lawyer, while in 8,69 % of the cases, the respondents lodged a complaint with the authorities. A surprisingly low proportion – around 5.31% of all people with problems – said that they searched up the internet for information on the issue. If we look at the order of taking different actions, the most common first action is to contact the other side, followed by seeking information and support from a friend or a relative and only after that requesting support from a lawyer.

Going to court was reported in only 5% of the cases (83 cases) while the Ombudsman as a means for resolving legal problems was used in 1.15 % (19 cases). Seeking advice or help from another organization (i.e. NGO) was reported in only an insignificant number of 2.65% (44) cases. This finding indicates that the work and services that the NGOs are providing are not well known among the general population.

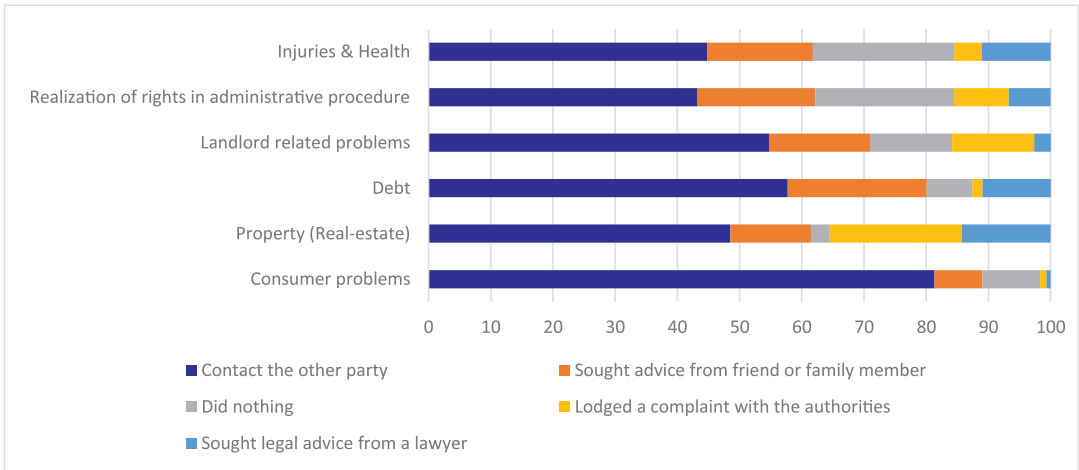
Figure 22: What did the respondents do when facing a legal problem?



ii. Problem-solving activities and the different types of legal problems

Furthermore, we break down the paths to justice by the category of the legal problem. For clarity, we focus on the six most prevalent paths to justice and the six most prevalent categories of legal problems. There is a significant difference in the strategies that people employ to deal with specific legal problems. More than 80% of those dealing with consumer problems contacted the other party, some sought information among friends and relatives, and some preferred to remain passive. Very few took the problem to a professional or an institutional path to justice. However, **lawyers were more often used when the respondent had to deal with a problem related to real estate, injuries and debt.** In situations of grievances over **realization of rights in administrative procedures and injuries and health-related problems**, people are more likely to do nothing. Authorities were more often used when people had to deal with real estate problems or with problems with renting.

Figure 23: Problem-seeking behavior and the different legal problems



iii. The socio-demographics behind problem-seeking behavior

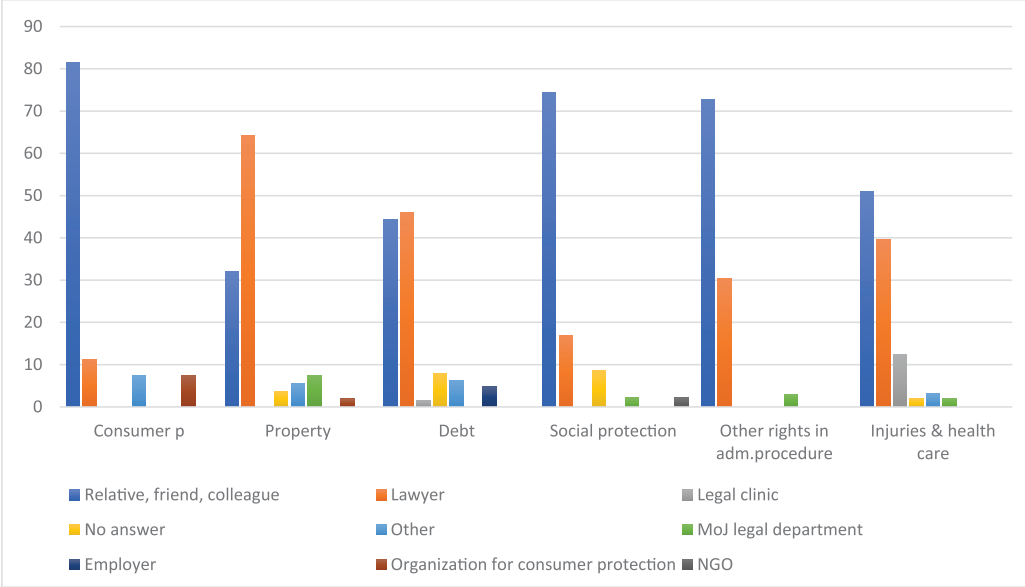
Additional subject that requires a more in-depth view was to assess whether the socio-demographic background of the respondents played a role in determining the problem-seeking behavior. Gender seems not to be a significant predictor of the types of actions taken for resolving the problem. Women with one percentage point more than the male respondents (Male: 14.89%; Female: 15.95%) reported that they didn't do anything to solve the problem however this difference is insignificant. Age is an important predictor of inactivity. Over 30% of the respondents in the age group 18 – 24 reported that they did not take any action. Also lodging a complaint to authorities is more likely among the older age groups. Ethnicity also plays a role in determining whether action will be taken with Albanians not taking any actions in 38.92% of the cases compared with only 8.35% among the Macedonian population. The urban population is more likely to seek advice from a friend, family member or a lawyer compared with their rural counterparts. The respondents with higher education and more income are more likely to consult a lawyer compared with the other population.

iv. Seeking advice as a path to justice

Advice, especially when provided by a lawyer, is very often very important for whether the problem will be resolved or not. The study wanted to identify to what extent the respondents are seeking advice, by whom, and whether the advice received has been considered useful or not by the respondent. According to the data, advice was sought in almost 25 % of all reported cases (496 cases). The two most dominant sources of advice were either relatives, friends or colleagues (219 cases)

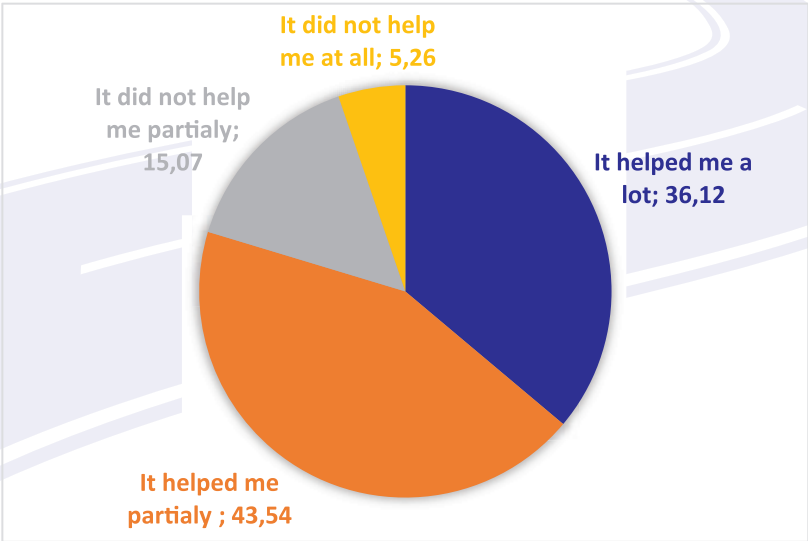
or professional lawyers (202 cases). The type of legal problem plays a significant role in determining the source of advice. Seeking advice from a lawyer is far more likely when having a problem related to property or debt compared with other problems.

Figure 24: Sources of advices and most frequent legal problems



The study sought to identify whether the advice was considered helpful. Therefore, the respondents were asked to assess whether the advice was useful for the resolution of the legal problem and realization of their rights and interests.

Figure 25: Helpfulness of the advice (Base = 418)

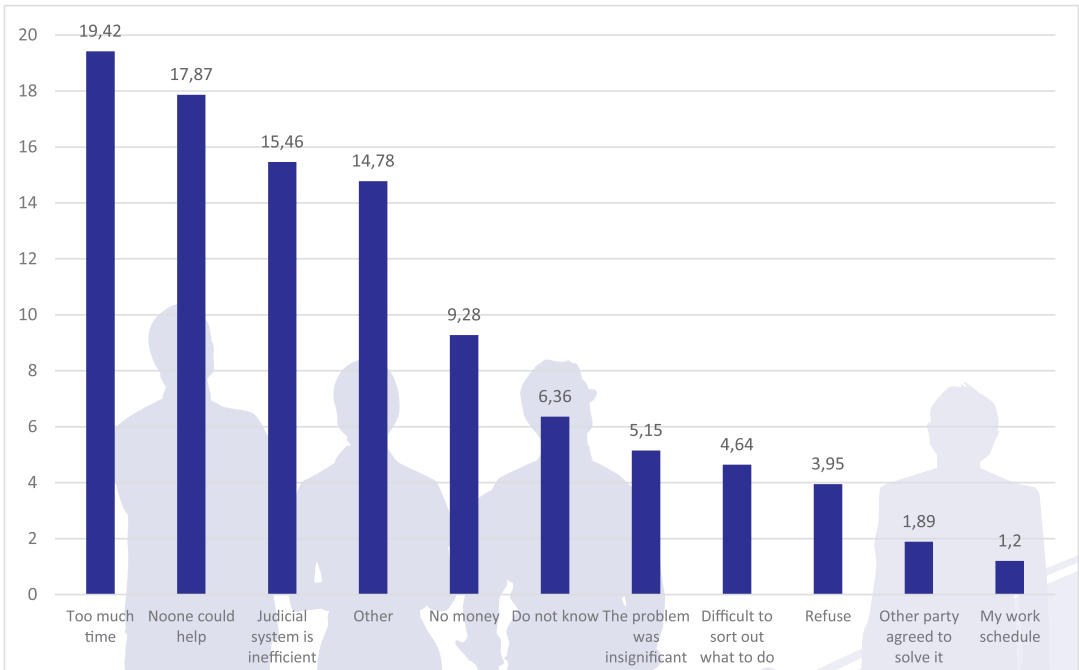


2.3 Inactivity - Not taking measures for addressing the legal problem

i. Reasons for inactivity

19% of respondents who reported experiencing legal problems did not take any action to resolve them. We asked these respondents about their reasons for not acting to resolve their legal problem. For most of the individuals who answered this question the main reason was that the resolution of the problem would take too much time. These findings require further research but apparently for 37% of the people who did nothing the key reason was that it was not worth it to do anything to resolve the problem. The next reason was selected by 34% - there was not anyone to help with the resolution. The third most frequently mentioned reason for the lack of action is the perception that the judicial system of North Macedonia is inefficient. Interestingly, the lack of money is not among the top 3 reasons for remaining passive – 18% said that they did nothing because they did not have enough money.

Figure 26: Reasons for inactivity

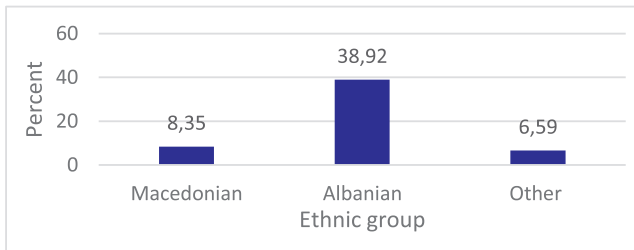


ii. Socio-demographics and inactivity

There is a small difference between the **male and female respondents** when it comes to inactivity. The difference is one percentage point — 15.95% of the female respondents reported that they did not do anything to resolve the problem compared with 14.89% of the male respondents.

However, a more considerable discrepancy between the sub-groups is visible regarding ethnicity. 38.92 % of the Albanian respondents reported that they did nothing to resolve their legal problem compared to 8.35 % of the Macedonian respondents and 6.59 of the other respondents. This indicates a significant justice gap present between the two largest ethnic groups living in the country.

Figure 27: Percentage of the different ethnic groups that reported that they did not take any action



There is a relatively big difference between the urban and rural populations. Respondents living in rural areas reported higher rights of inactivity (18.54%) compared with their urban counterparts (13.21%). This finding is consistent with the other findings that are pointing out to the existence of a justice gap among the rural population. With regards to age, education and income the data shows a consistent trend of decreasing the inactivity level with the increase of age, education level and income.

Figure 28: Education & frequency of inactivity (in percentage)

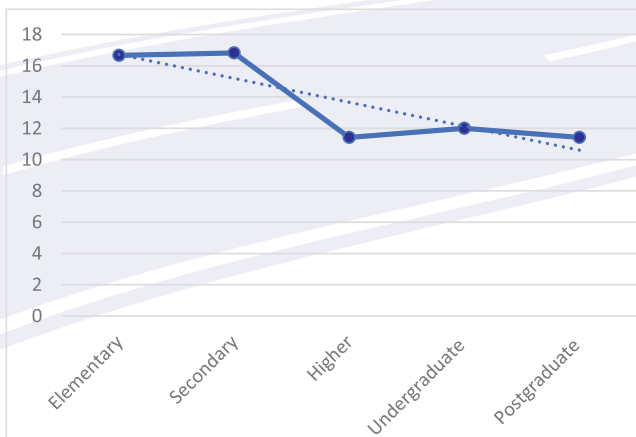


Figure 29: Age and frequency of inactivity (in percentage)

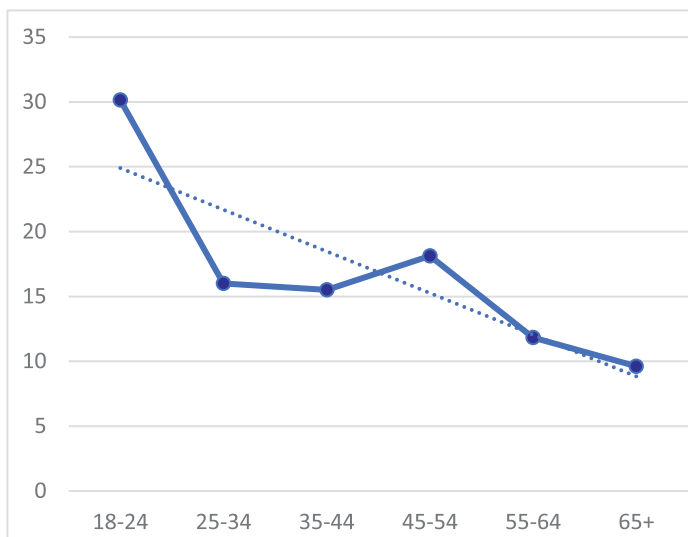


Figure 30: Income & frequency of inactivity (in percentage)

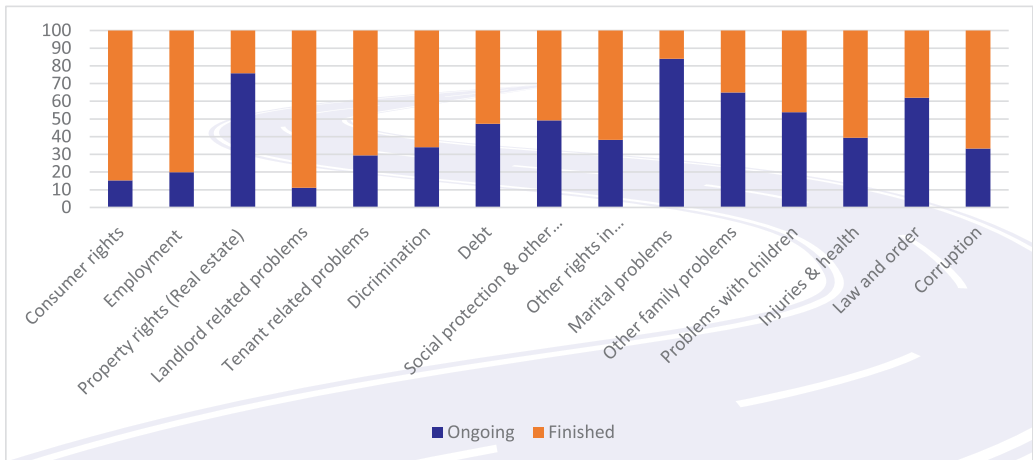


Part 3: RESOLUTION & OUTCOMES

3.1 Status of the problem

The outcomes refer to whether the problem has been resolved (notwithstanding if in favor or against the respondent) or is still pending. 40% of the reported problems are ongoing while almost 60% of them are finished. Desegregated by type of problem there are significant differences between the types of problems and the likelihood that they are finished or pending.

Figure 31: Overview of the status of the problem desegregated by type of problem

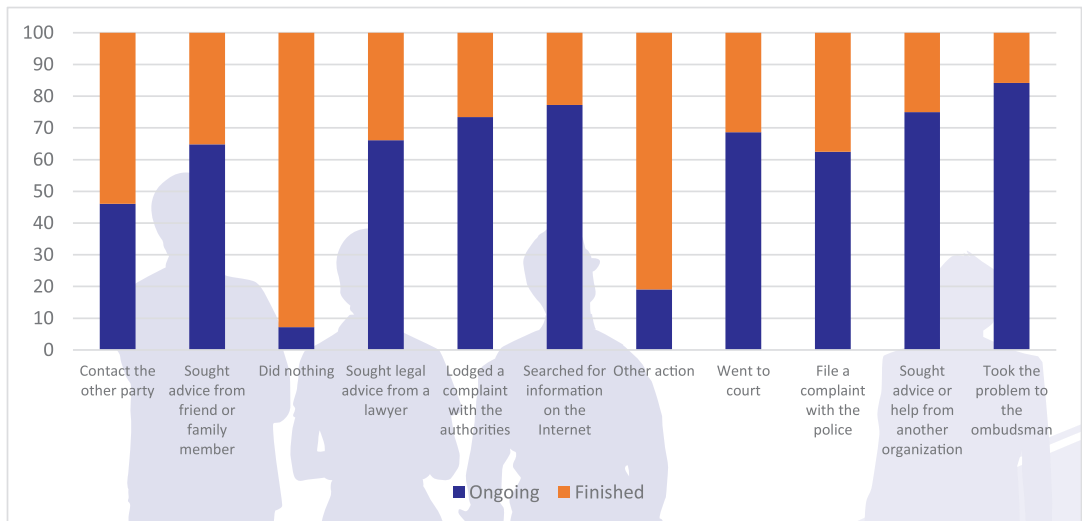


According to the figure above, $\frac{3}{4}$ of the reported problems related to real estate and family matters are still pending resolution. This could be a result of the specific nature of these problems which either require longer judicial procedures for their resolution or the complex personal relations complicating their resolution. Low levels of resolutions are evident when the problem is related to law and order (being a victim of a crime, personal data and privacy violation, police mistreatment etc.). On the other hand, problems related to consumer rights, employment and renting are to great extent reported as resolved.

The sociodemographic characteristic play certain role in determination whether the problem is finished or not. The age plays certain role in whether the problems is resolved or not where the younger groups are reporting greater resolution rate compared with older groups. There is difference also among the Macedonian and Albanian ethnic group where the prevalence of finished problems if far greater among the Albanian respondents (83.82%) compared with the Macedonian (51.1%) or respondents from other ethnic groups (53.95%). In addition, there is a difference among the different income groups. The greater the income is the greater the likelihood that the problem has been resolved.

The status of the problem can be cross-tabulated with the different actions taken by the persons who experienced legal problems. This comparison can enable assessment of the effectiveness of the different strategies in the resolution of the problem. However, in analyzing the figure below the small samples of some of the strategies (ex. going to the Ombudsman & searching for information on the internet) should be taken in consideration before reaching conclusions. If we remove these two as outliers, it is clear that taking advice, especially from lawyers as well as other sources can result in a greater chance of resolution of the problem. On the other hand, the most common strategy used (contact the other party) is far less likely to result in the resolution of the problem. This data shows how important is seeking advice as a strategy for the resolution of the legal problems.

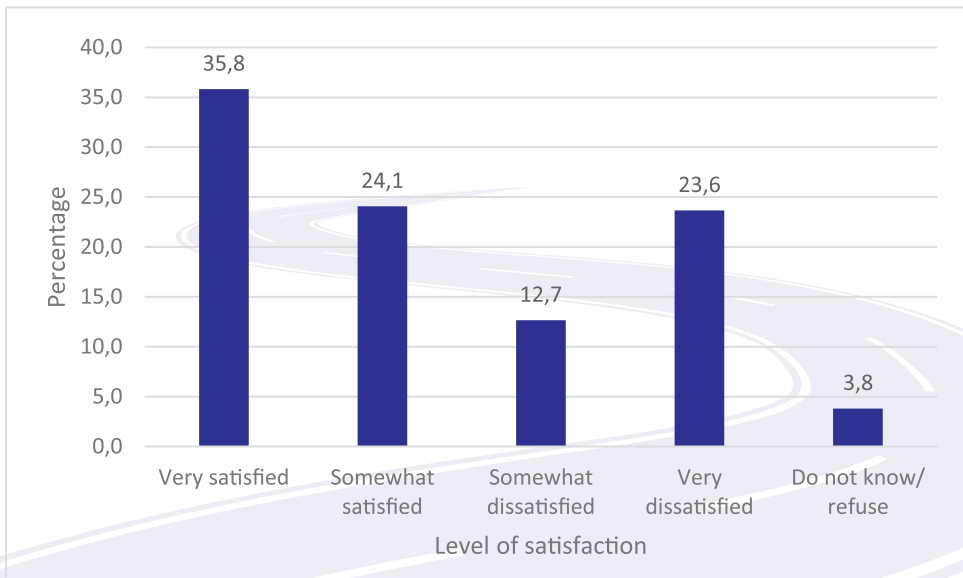
Figure 32: Comparison of the strategies used and status of the problems



3.2 Satisfaction from the outcome

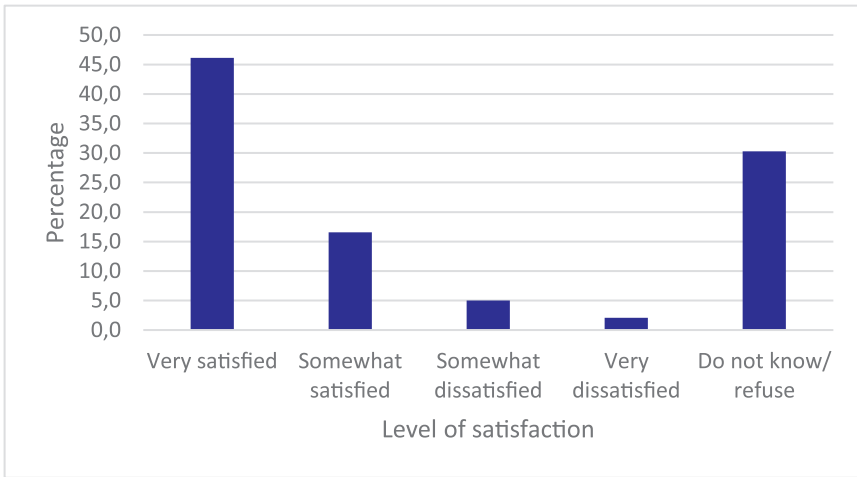
Next we asked the respondent who reported that their legal problem has been finished several questions concerning their satisfaction with the resolution as well their perception of the overall fairness and timeliness of the resolution of the problem. According to Figure 33 over half of the respondents reported that they are satisfied (either very or somewhat) with the outcome of the problem. This points out to a conclusion that in over 1/3 of the cases surveyed (35.8%) the outcome was in favor of the respondent i.e. his/her rights and interest were fully realized and protected. Approximately, 24.1% are partially satisfied with the outcome. Dissatisfied with the outcome are 36.3% of whom 12.7% are somewhat dissatisfied while the rest, 23.6% are very dissatisfied with the outcome. The conclusion from this is that personal experiences from facing and solving the legal problems were surprisingly positive having in mind the overall distrust in the justice system in the country (as shown in the next part of the report).

Figure 33: Level of satisfaction with the outcome (Base = 965)



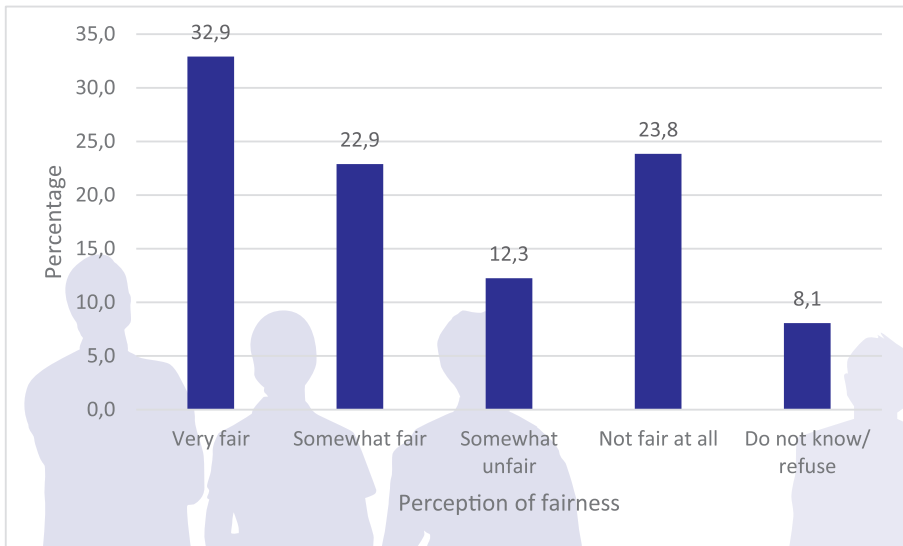
The perception of the respondents on the level of satisfaction of the other side is overwhelming that the other side is more satisfied with the outcome.

Figure 34: Perception of the level of satisfaction of the other side with the outcome (Base = 965)



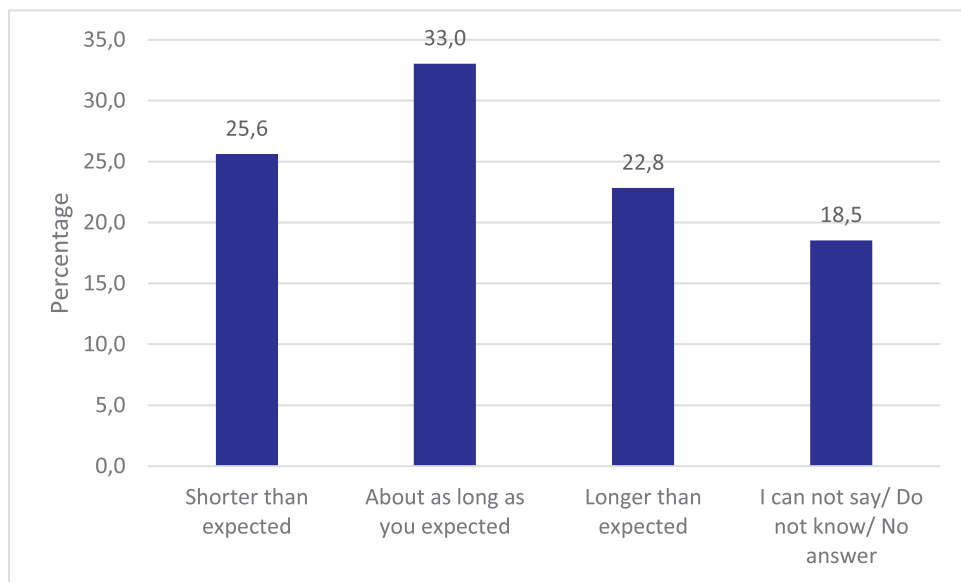
Interesting findings can also be seen related to the perception of the fairness of the outcome. This perceived view among over half of the respondents is that the outcome was fair with 32.9 % considering that the outcome was very fair.

Figure 35: Perception of fairness of the outcome (Base = 965)



The other element measured was the perception of the time necessary to resolve the legal problem. Here as well the data shows that the relative majority, one-third of the respondents considered that the time necessary for the resolution of the problem was as long as expected. One-fourth responded that they needed less time than expected while 22.3% longer than expected.

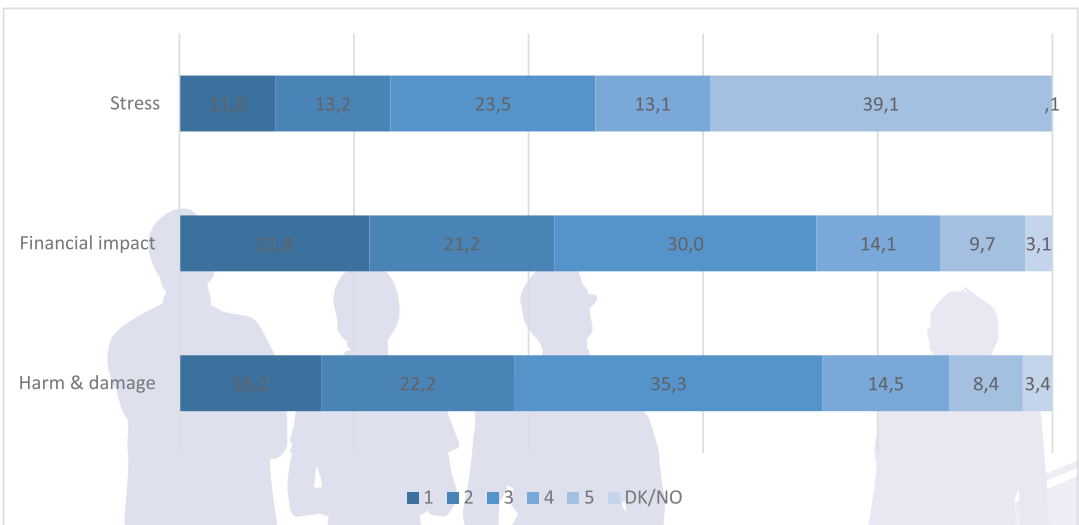
Figure 36: Perception of the timeliness of the resolution (Base = 965)



Part 4: IMPACT OF THE PROBLEM

In order to evaluate the impact of legal problems on the livelihood of the people experiencing them, the respondents were asked to self-assess the effect on a scale from 1 to 5 where 1 means “did not have any effect” and 5 means “a considerable effect”. Three elements were assessed. The stress caused to the respondent, the financial strain and the harm to the life experienced. The impact was assessed in correlation with the sociodemographic characteristics and the type of legal problem experienced. The findings of the self-assessment are presented in Figure 37.

Figure 37: Self-reported level of impact of the problem in three categories (stress, financial impact & experience harm and damages on a Likert scale (1 No impact – 5 Severe impact), (Base = 1.627)

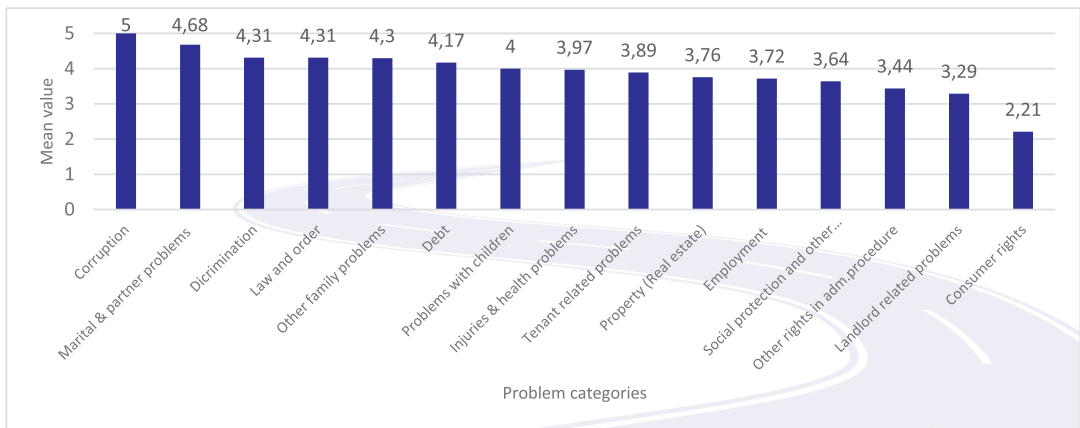


4.1 Stress

Over 50 % of the eligible respondents reported that the problem caused severe stress. The uncertainty of the outcome, the potential detrimental impact of the problem, and the time and effort invested in the resolution of the stress are just contributing factors to this high level of stress. Therefore, legal problems should not only be observed in a narrower sense, strictly as problems that can be resolved using legal means but as broader social phenomena which have a significant impact on the quality of living of the people.

In order to identify which types of legal problems are causing a greater level of stress we cross-tabulated the mean value of the stress experienced with the specific types of legal problems. According to this, the most stressful legal problems experienced³⁴ are marital and partnership disputes, discrimination, problems related to law and order, other family problems and problems related to debts. On the other hand, the problems related to consumer rights, though most common, are not causing stress compared with the other legal problems.

Figure 38: Stress level & categories of legal problems



Looking at the socio-demographics there are small differences between the mean value of the stress impact experienced by men (3.65) compared with women (3.55). The difference is visible also between the different ethnic groups. The mean value of stress experienced from the legal problem is far greater among the Albanian population (4.2), compared with Macedonians (3.42) and other ethnicities (3.2). When looking at age the distribution is in a form of an inverted U shape where people from the middle groups (35-44 & 45 – 54) report higher levels of stress compared with the younger and older population. Small difference exists between the urban and rural populations where the respondent living in rural areas reported a 0.2 higher mean value. The problems also are causing greater stress among law income individuals (See Figure 41).

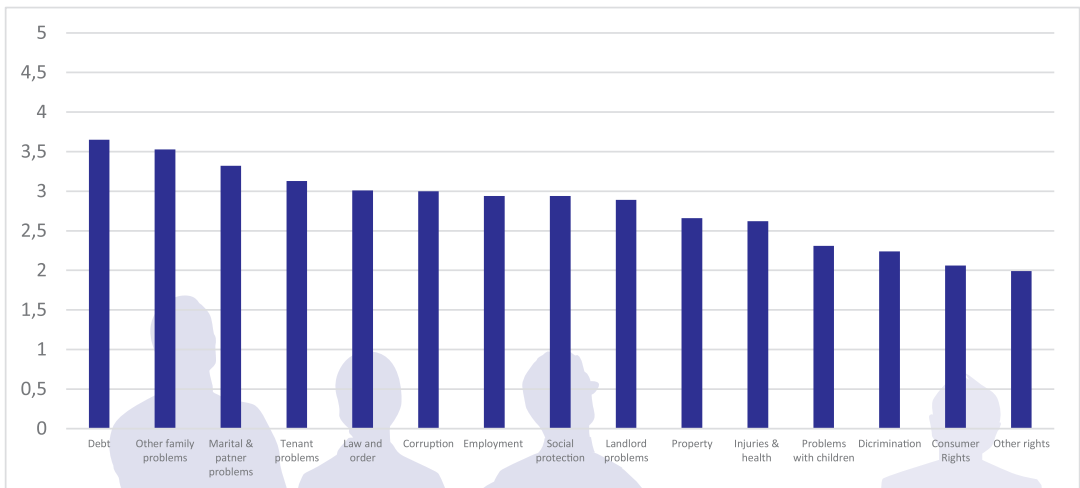
³⁴ The sample for corruption is too small for drawing conclusions (N = 3).

4.2 Financial burden

On average, the respondents reported that the financial burden caused by the problem (either via costs necessary for resolution – legal and court fees etc. or due to the inability to earn money etc.) lies somewhere in between not related to money at all and life-changing amount of money. For over 1/5 of the respondents, the problem was not related to money at all and did not cause any financial strain on the individual or his/her household.

Different types of legal problems have a different financial impact. Understandably the problems related to debt have the greatest negative impact on the financial standing of the respondents. The other family problems (alimony for children, inheritance etc.) and the family problems (divorce, division of marital property, alimony for the ex-spouse etc.), the problems of tenants as well as problems related to law and order and employment and welfare also have a significant role. On the other part of the spectrum, discrimination (though causes stress) seems that it does not put financial strain just as consumer-related problems and access to other rights in administrative procedure.

Figure 39: Level of the financial burden caused by legal problems

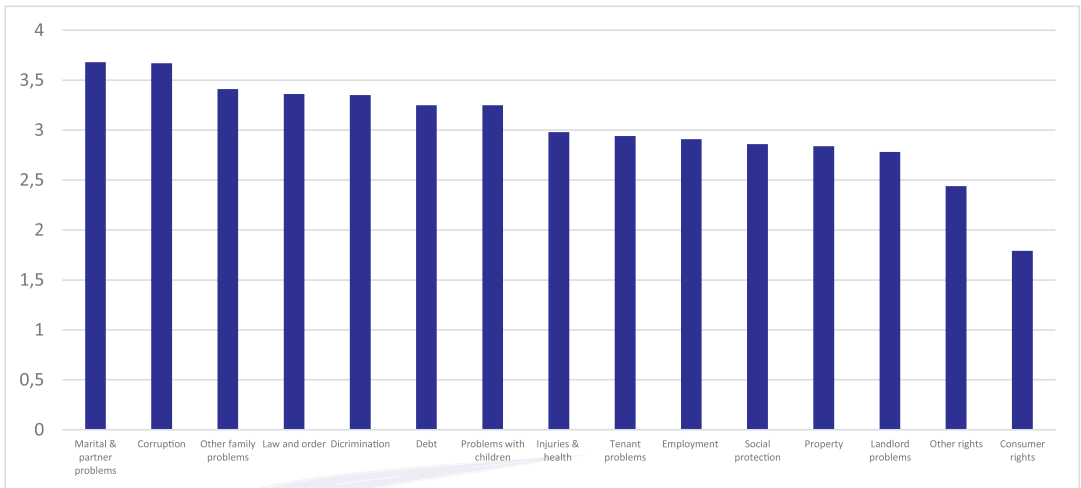


Not all different sociodemographic groups were equally affected by the financial impact of the legal problems. Male respondent reported a higher level of an impact compared with female respondents. Among the ethnic groups, the Albanian respondents reported significantly higher impact (2.97) compared with the Macedonian (2.62) and other ethnic groups (2.53). People living in rural areas (2.72) reported a higher level that people living in urban areas (2.68). For the impact of the income, please see Figure 41.

4.3 Harm and damages

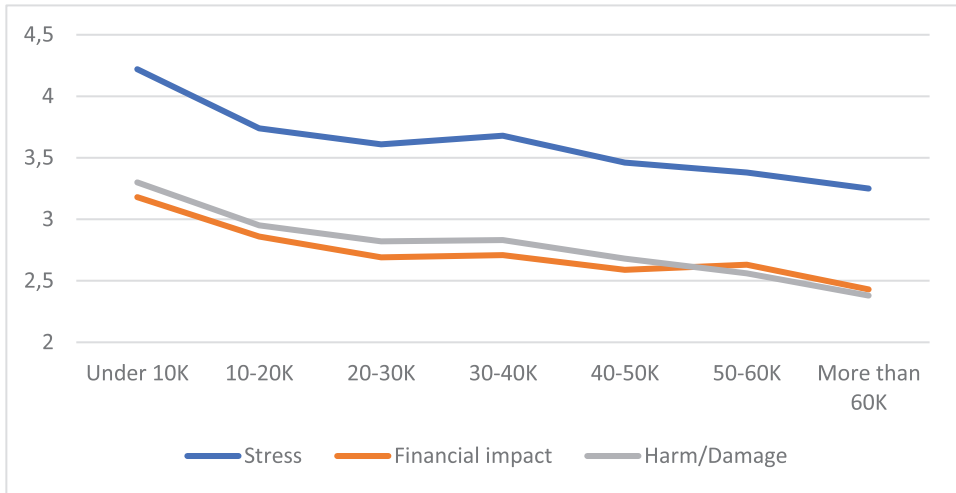
The harm question assesses the extent to which the problem affected the respondent's life. The majority assessed the harm experience as medium. The family-related disputes are again at the top by causing distress and a negative impact on the respondent's wellbeing. They are followed by law and order-related problems. While again, the most frequent types of problems, the consumer ones, are considered as not causing significant harm to the lives of the respondents.

Figure 40: Level of harm caused by different legal problems



The prevalence of certain problems within the general population does not imply the impact of the problem on the respondent. For example, though consumer problems are most commonly experienced, they have little impact on the respondents. The family related disputes and problems are far more likely to have a negative impact on the life of people. It is necessary that there are effective and accessible services to ensure that these problems are adequately addressed. Lastly, the low-income population experience far greater income from the legal problems that they experience compared with people earning more money (See figure below). The impoverished population is disproportionately impacted by legal problems which require efficient access to justice policies for the people living in poverty.

Figure 41: Impact of the problem desegregated by income

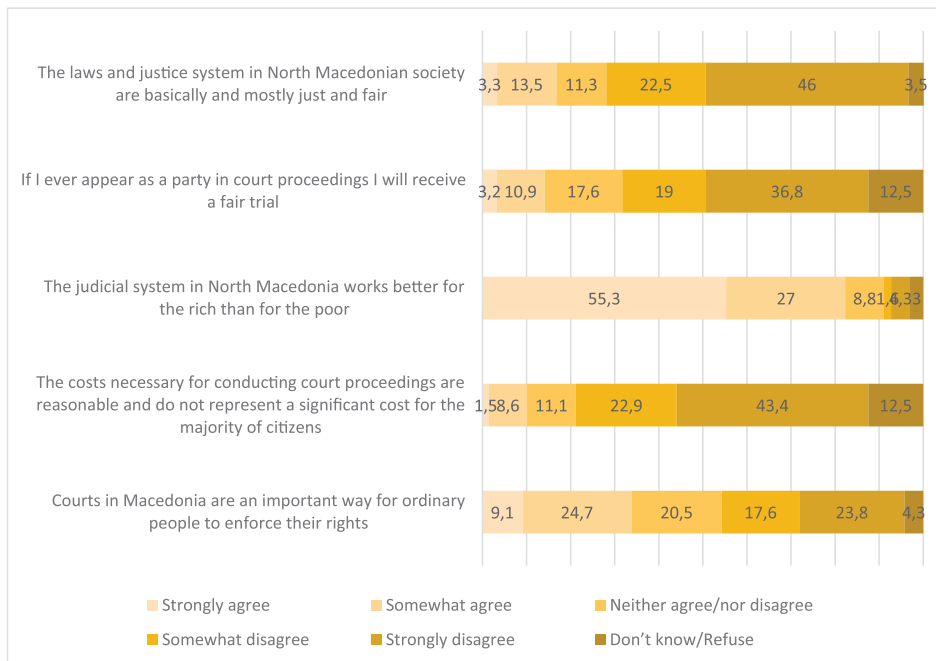


Part 5: GENERAL OPINIONS AND PERCEPTIONS ABOUT THE JUSTICE SYSTEM

6.1 Opinions and socio-demographic characteristics

All respondents (2.800) were asked to assess on a five-level Likert scale to what extent did they agree to five statements that are related to the justice system in North Macedonia. The level of agreement/disagreement with the statements provides insight into the trust/confidence of the respondents regarding the fairness of the justice system, the role of courts in protecting and enforcing the rights and the costs of procedure as a potential barrier to access to justice. The frequencies of agreement, i.e., disagreement with each statement about the justice system are presented in Figure 42.

Figure 42: Frequencies of agreeing with statements about the justice system in North Macedonia



As it can be seen from the chart, over 2/3 of the respondents (68.5%) do not agree (either strongly or somewhat) that the laws and the justice system in North Macedonia are just and fair. Only 16.8 % of the respondents believe that the system is fair though the percentage of respondents who fully agree is very low (3.2 %). Similar results are present in the hypothetical situation if the respondent believes is part of the court procedure he/she will receive a fair trial. The only difference is related to the number of respondents who responded that they neither agree nor disagree which is greater when the respondents are asked about hypothetical situations describing contact with the courts system. These numbers point out an overall negative sentiment and mistrust of the general population toward the justice system. However besides this, still 1/3 of the respondents see the courts as an important mechanism for ordinary people to enforce their rights. What is concerning is that in the perceptions of the respondents, income and societal status play significant roles in determining whether justice is accessible. Over 70% of the respondents believe that the judicial system in North Macedonia works better for the rich than for the poor and over 66% state that the costs are a burden in accessing justice. The data received to a certain extent confirms previous studies on public opinion in the courts.

Assessing the impact of the socio-demographic factors on the attitudes was done using a cross-tabulation between the specific socio-demographic group and the mean value of the level of agreement.

Table 9: Socio-demographics & attitudes

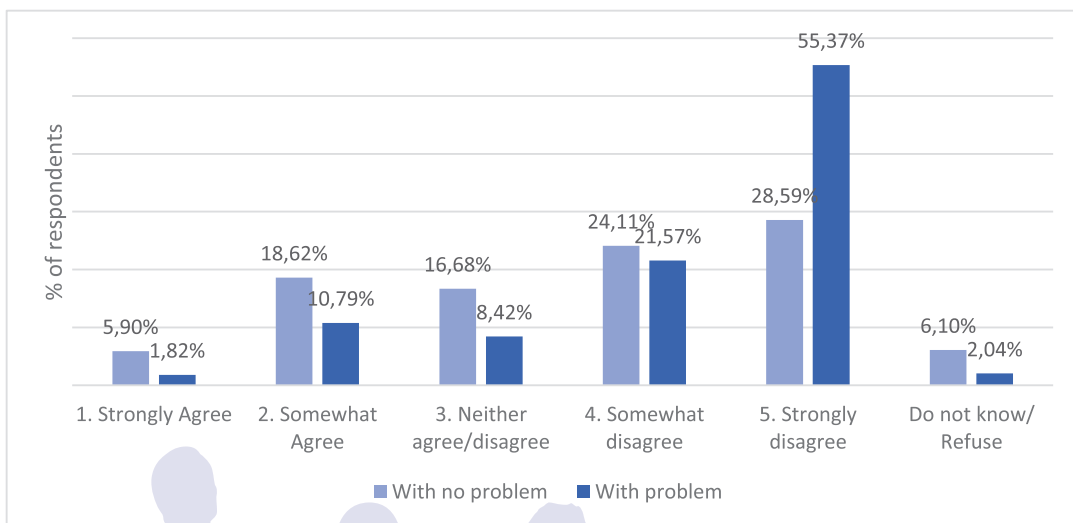
	Laws and the justice system in North Macedonian society are basically and mostly just and fair	If I ever appear as a party in court proceedings I will receive a fair trial
Gender		
Male	4.02	3.9
Female	3.9	3.78
Ethnicity		
Macedonian	4	3.86
Albanian	3.85	3.77
Other	3.78	3.82
Age		
18-24	3.85	3.67
25-34	4	3.91
35-44	4.03	3.9
45-54	3.98	3.83
55-64	3.91	3.79
65+	3.93	3.86
Location		
Urban	3.98	3.84
Rural	3.92	3.84
Education		
Elementary	3.96	3.88
Secondary	4.05	3.91
Higher	3.97	3.9
Undergraduate	3.46	3.38
Postgraduate	4.13	4
Income		
Under 10K	4.18	4.08
10-20K	4.04	3.96
20-30K	3.92	3.82
30-40K	3.91	3.8
40-50K	3.93	3.81
50-60K	3.85	3.76
More than 60K	3.97	3.78

Gender is a modest factor in determining the opinions towards the justice system. The male respondents reported a slightly higher level of distrust compared with the female respondents. Ethnicity on the other hand, especially for the general attitudes plays a considerable role with Macedonian respondents reporting a higher level of distrust compared with other ethnicities. Respondents with lower income reported higher levels of mistrusts.

6.2 Opinions and experience with justiciable problems

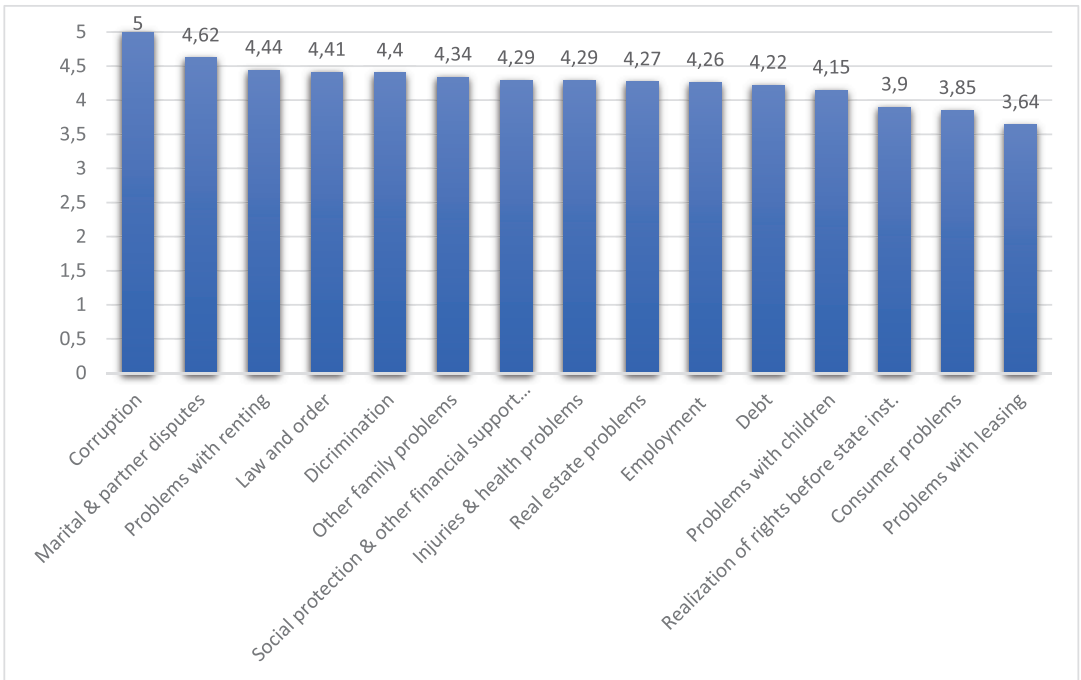
We also looked at the potential relation between the experience with justiciable problems and the attitudes towards the justice system in general. We wanted to identify whether the fact that the individual has experienced legal problems played a role in determining his/her attitude towards the justice system.

Figure 43: Comparison of attitudes toward the justice system (N=2.800)



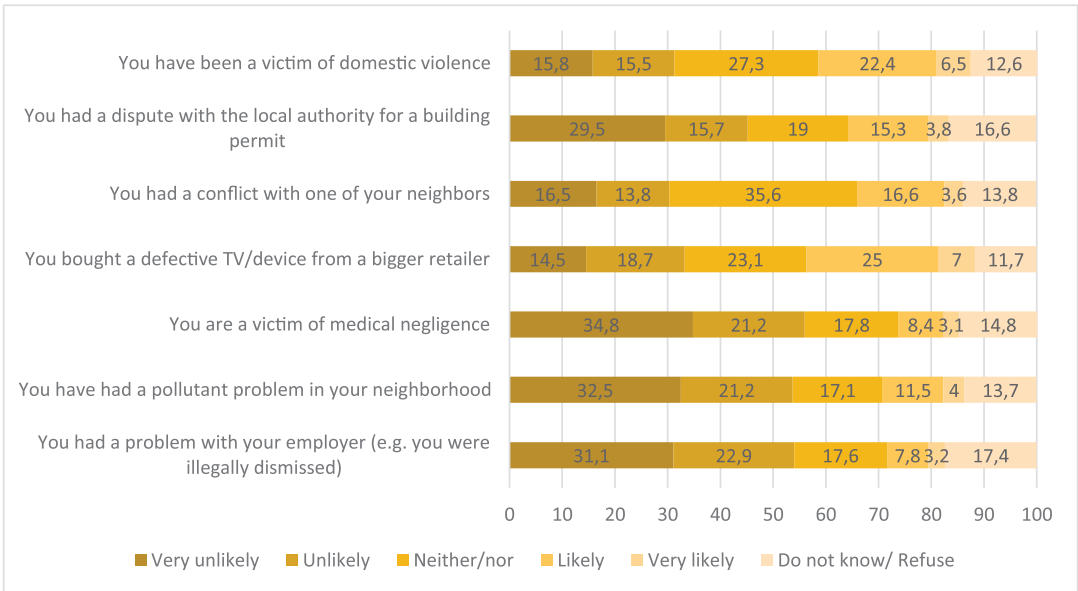
Experiencing justiciable problems seems to be a strong predictor of the attitudes on whether the laws and the justice system in Macedonian society are basically and mostly just and fair. As can be seen from the Figure 43 people who did not experience justiciable problem in the past three years are more likely to agree with the statement that the laws and the justice system are just and fair. Contrary to that, of all people who reported experiencing legal problems, the majority reported that they strongly disagree with the statement. This shows that personal experiences (aside from the overall societal perception) play a role in determining the perceptions and opinions on the justice system. The type of legal problem that the respondent experienced also plays a role in determining the attitudes.

Figure 44: Overview of the mean score divided by problem type



We asked the respondents who did not report any legal problem to assess the likelihood of obtaining a fair solution to several different hypothetical legal problems. According to their perceptions, it is unlikely to have a fair solution in cases related to medical negligence, employment disputes as well as air pollution. Regarding problems with neighbors over 1/3 responded that they can not assess whether it is likely or not likely to obtain a fair solution. Another surprising finding is that over 30% said that if they become a victim of domestic violence it would be likely to obtain a fair solution. However, there is a difference between male and female respondents.

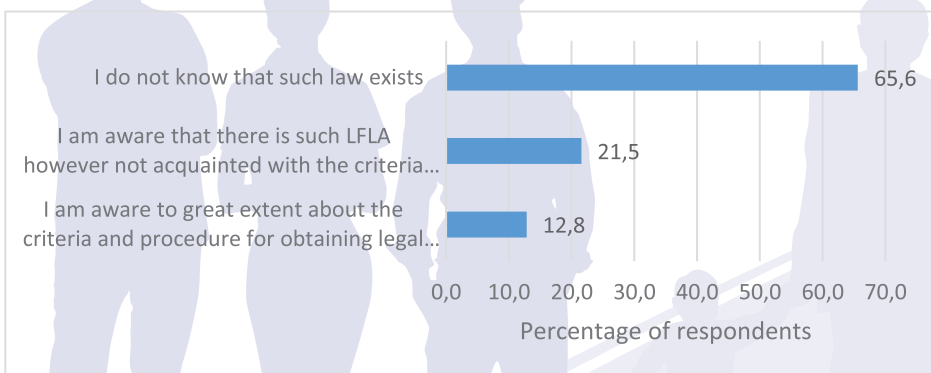
Figure 45: Likelihood for obtaining obtain a fair solution (N=983)



6.3 Awareness about the Law on Free Legal Aid

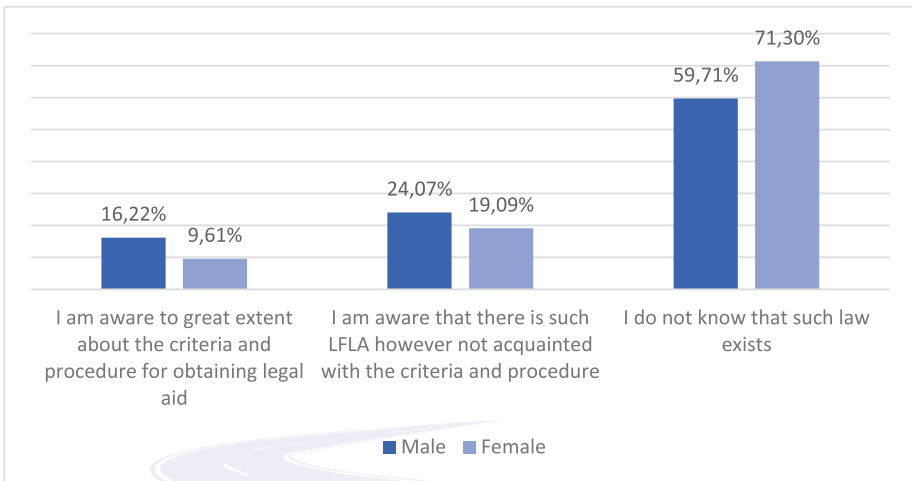
One of the key preconditions for an effective national legal aid system that ensures access to justice for the people living in poverty is ensuring that they are aware of the existence of such possibility as well as to be informed about where and how they can apply for legal aid. The Law on Free Legal Aid is the key legislation regulating the criteria, scope and procedure for legal aid thus it is necessary that the people in need of free legal aid are aware of its existence. We've asked the respondents of the survey to respond to whether they are aware of the law as well as the criteria for granting legal aid. The results are summarized in Figure 46.

Figure 46: Awareness about the Law on Free Legal Aid (N=2.800)



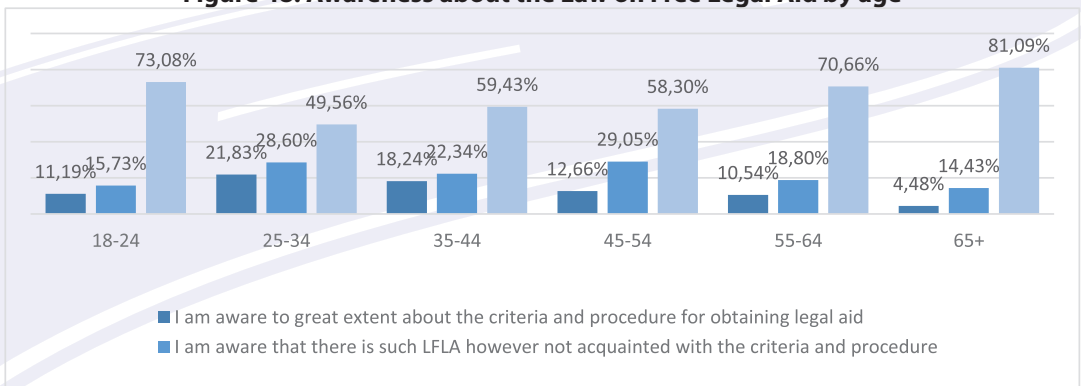
The data from the survey shows that almost 2/3 of the respondents (65.6%) are not aware of the existence and the rights that the Law on Free Legal Aid may provide and protect. Around 21.5% of respondents are aware that such a law exists though not acquainted with the details while 10% of the respondents are aware of the specific criteria and the procedures. These findings are pointing out that it is necessary to amplify the efforts for the promotion of the services that can be provided within the auspices of the national legal aid system. However, in order to increase the effectiveness of the promotion it is necessary to look at the data desegregated by the different socio-demographic groups.

Figure 47: Awareness about the Law on Free Legal Aid by gender



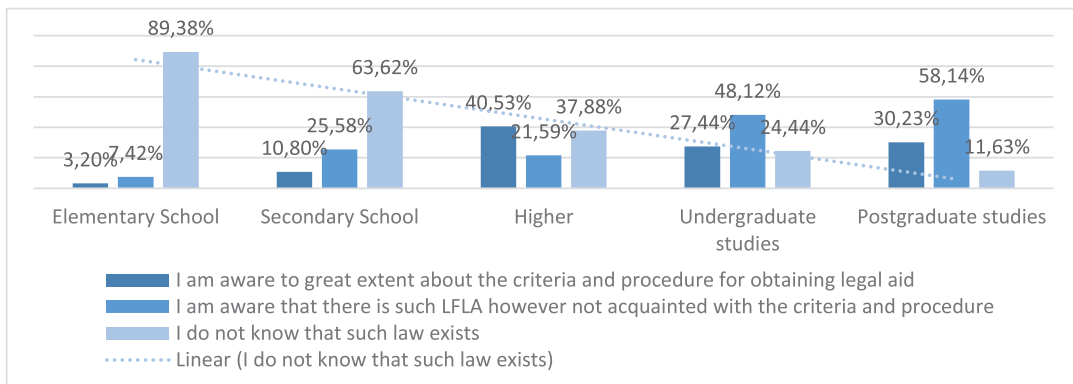
As can be seen in Figure 47 there is a significant difference in the awareness about the LFLA between male and female respondents. 40.29% of the male respondents reported that they have at least initial information about the LFLA compared with the 28.7%. This discrepancy requires gender mainstreaming in any legal aid awareness raising campaign.

Figure 48: Awareness about the Law on Free Legal Aid by age



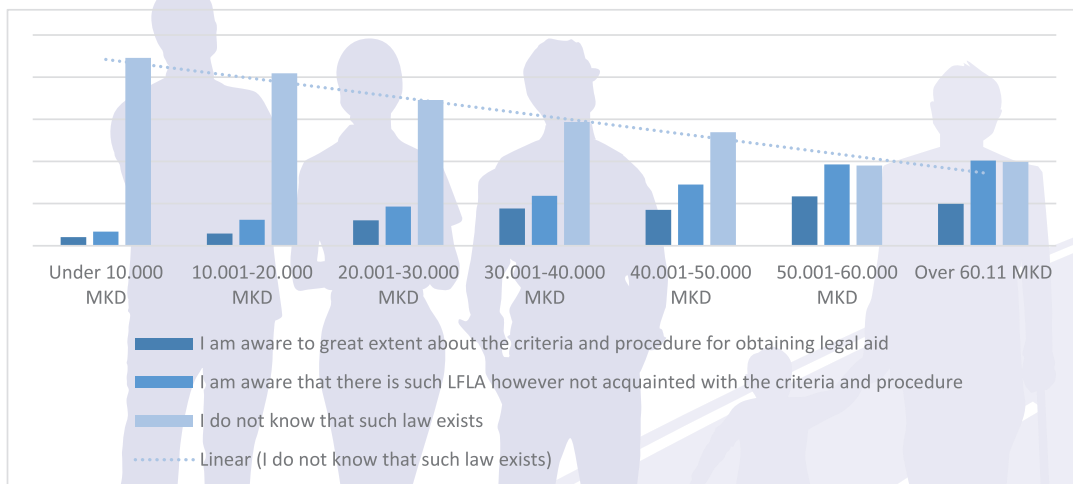
Among the different age categories, a U shape curve is visible with the youngest and oldest categories reporting higher levels of lack of knowledge about legal aid compared with the middle age groups. Since as described in Section 1 of this report younger people are more likely to experience legal problems the awareness activities should specifically target this age group. People above 65 years also require a greater understanding of the means to ensure access to legal aid.

Figure 49: Awareness about the Law on Free Legal Aid by education



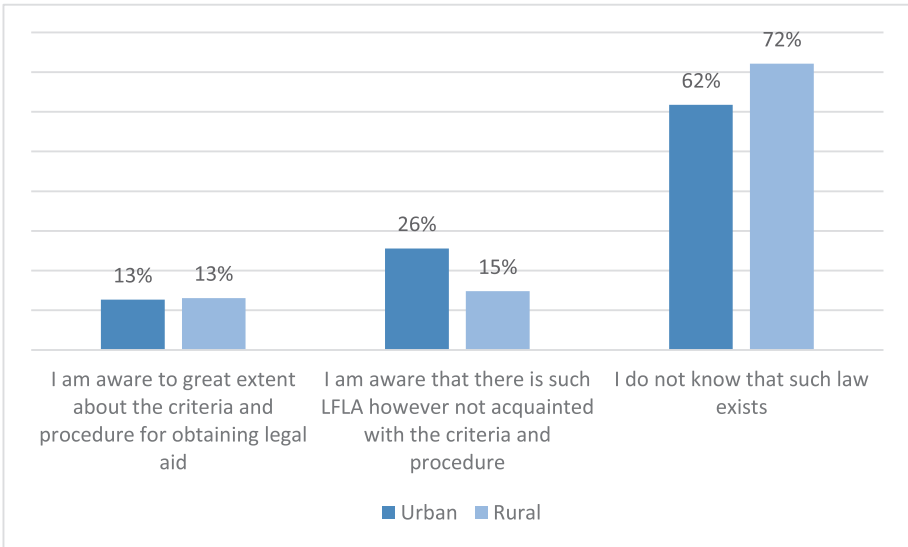
Both education and income are associated with awareness about the Law on Free Legal Aid. The higher the education and income, the less likely is that the individual is not aware of the Law on Free Legal Aid. People from middle and higher societal status have greater possibilities to access information including on LFLA though they are not the primary target group of the LFLA. This high discrepancy needs to be addressed by innovative awareness raising activities targeting specifically the low-income individuals and communities.

Figure 50: Awareness of the Law on Free Legal Aid by income



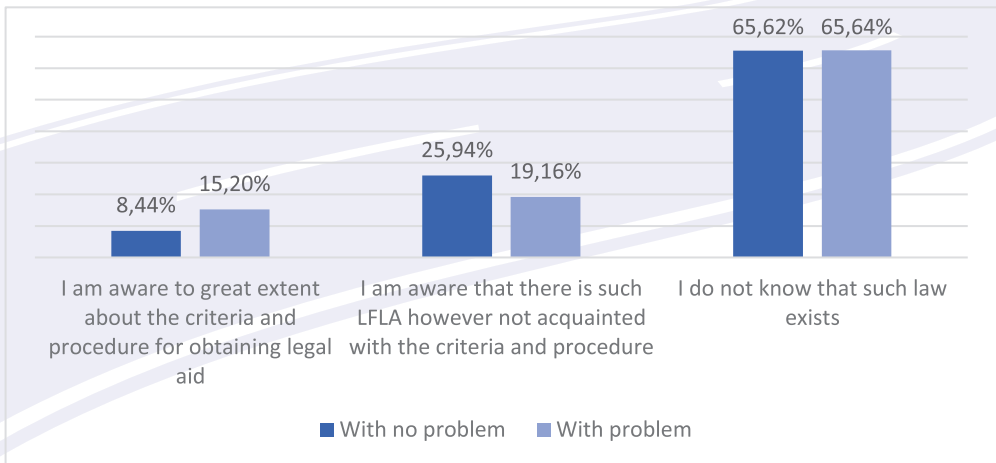
There is also a noticeable gap between the urban and rural populations with regards to their awareness of the Law on Free Legal Aid.

Figure 51: Awareness about the Law on Free Legal Aid (Urban v. Rural population)



We also wanted to see whether there is a difference between the people who reported experiencing legal problems in the past three years compared with the people who did not experience any problems. People who experienced legal problems are more likely to be aware to a greater extent of LFLA though if we sum the positive responses (greater and limited understanding) the results between the two groups are very similar. This indicates that even the people who experienced legal problems are not aware of the legal aid system and its opportunities.

Figure 52: Awareness about the Law on Free Legal Aid (With v. without reported legal problem)



RECOMMENDATIONS FOR POLICY REFORM

1. Make a bold move from institutions-focused justice to people-centered justice

The results of the study clearly indicate that the legal problems are a ubiquitous part of daily life. Each year, around 300.000 individuals in the country must address approximately 1.450.000 legal issues. However, many of these problems are not reported to legal and justice institutions, remaining unseen in statistics and assessments. They remain in the “blindspot” of the justice sector. Despite this, the people of North Macedonia require fair resolutions for each and every legal problem. This requires a broader understanding of what justice entails and a broader discussion to address key questions such as: Who owns the legal problems?; How the justice system deals with the problems from the “blindspot”?; How is North Macedonia ensuring that the ideal of equal justice for all is achieved? A national, people-centered justice strategy would be the most effective way to address these questions.

2. Integrate people-centeredness into the measurement and evaluation systems for the legal and justice systems of North Macedonia

Around 40% of legal problems remain unresolved, highlighting the need for action at various levels. One crucial task is to introduce a people-centered approach to measuring and evaluating justice within institutional systems. Currently, only 6% of serious and difficult legal problems go to court, meaning that court statistics do not provide insight into 94% of legal problems. Additionally, simply tracking the progress and outcome of a case only provides an institutional perspective. To truly understand justice as it is experienced by individuals, metrics that incorporate both user and institutional perspectives must be developed. Currently, data is primarily gathered from administrative sources, making it necessary to invest in and balance systems for measuring and evaluating justice in order to constantly monitor and reduce the justice gap.

3. Focus on the outcomes that justice delivers to individuals (and companies)

The study suggests a significant justice gap, with 40% of legal problems remaining unresolved at the time of the interview. However, information is also lacking about the remaining 60% of cases labeled as “finished.” It is unknown if the respondents were able to resolve their legal problem, if the outcome was fair, if they received appropriate compensation, or if they felt respected and valued by the institutions involved in the resolution process. Additionally, it is unclear if they received an apology or clear explanation of the situation. Understanding these outcomes is crucial in holding legal and justice systems accountable to the needs of their users. Additional efforts are necessary to incorporate outcome-focused indicators into the frameworks used to measure justice in North Macedonia.

4. Focus on the most prevalent and most pressing legal problems

Consumer problems, injuries & health-related problems, issues with welfare benefits and debt are common in people’s lives in North Macedonia. Improving the resolution of these problems can greatly benefit tens of thousands of individuals. One way to achieve better resolution is through the implementation of more people-centered procedures that deliver fair results quickly, affordably, and without discrimination. Another approach is to prevent problems from occurring in the first place. Integrating the interventions of justice and non-justice providers and encouraging innovation and competition in the resolution of legal problems are other effective ways to reduce the justice gap. Below we list concrete ideas for making justice more effective and accessible.

5. Improve the efficiency of the existing mechanisms for resolution of consumer-related issues and introduce new in line with the best EU practices (i.e.. Collective action for consumer’s rights protection);

The problems related to consumer rights are most common among the different justiciable problems experienced by the general adult population in the country. The most prevalent manner of resolution is contact (communication) with the other side (the seller, retailer etc.). Though these problems do not cause significant stress or financial impact to the people facing them, the sole fact that they are very prevalent requires a thorough assessment and review of whether the current mechanisms are effective (i.e.. market inspectors). Additionally, a proposal for the new Civil Procedure Code that has been submitted to the Parliament in August 2021 has introduced a legal ground for so-called “Action for protection of collective rights” which among other things should be used for the protection of consumer rights.

6. Introduce an efficient and effective mechanism for acting upon complaints from patients about the alleged violations of patients' rights and medical malpractice including adequate and independent investigation of all relevant facts;

The COVID-19 pandemic had a significant impact on how the citizens are viewing and considering patient rights. Compared with before the pandemic, when healthcare was viewed as a service that should be provided (without any criteria about the quality) by either public or private healthcare facilities, now they are increasingly viewed as rights. Respectively, such rights must be adequately protected by independent and neutral third parties in case of violation. The data from this survey supports this claim. The current model, with so-called local committees for the protection of patients' rights is not functional at all. In case of alleged medical malpractice, there is no explicit procedure for review and it is left upon the discretion of officials from the Ministry of Health.

7. Address vulnerabilities and systemic failures

The study indicates that certain groups of people are more susceptible to experiencing legal problems, or that certain problems disproportionately affect specific groups. These vulnerabilities can manifest in various ways, such as age, ethnicity, and rurality. To address this issue, it is important to have a better understanding of the relationship between legal problems and vulnerability factors. This knowledge should be taken into account when designing prevention and resolution measures.

8. Invest in the development of fair, efficient and accessible procedures for resolving legal problems

The most common responses to legal problems among people in North Macedonia are to contact the other party, seek advice from friends or family members, or do nothing. This suggests that people in North Macedonia often have to deal with legal problems on their own and relatively few utilize the existing structured processes for resolving legal issues. This presents both a challenge and an opportunity. In economic terms, this can be seen as a demand for justice solutions. This demand can be met through various means, not just in the public sphere. Entrepreneurs could develop services based on dispute resolution. Innovation in the field of justice has already proven to be an effective means of increasing access to justice. Creative and innovative individuals in North Macedonia should be encouraged to participate in and contribute to access to justice.

9. Further promotion of mediation and other forms of alternative dispute resolution as an effective method for solving legal problems related to debt, employment, consumer rights, and property right;

Though in the past several years significant efforts have been invested in the promotion of the mediation as a specific form for non-judicial dispute solving. A new Law on Mediation has been adopted and provides a solid legal ground for alternative dispute resolution. In the observable future, greater focus should be placed on the promotion of mediation as an effective and cheaper alternative to courts. Additionally, the current mechanisms for solving disputes between the citizens and public utility companies (i.e. electricity, phone, water etc.) should be strengthened by greater promotion of alternative dispute resolution. Such methods could be considered as mandatory before any legal action is taken. Promotion and awareness raising, firstly among legal practitioners, could prove very beneficial in addressing scepticism and increasing the future potential for referrals to ADR. In this sense, more active involvement of the mediators and their promotion (including positive examples) in public is crucial.

10. Reform court and administrative procedures to address citizens' needs, in particular, the transparency, impartiality and length of the court and administrative procedures;

Public confidence in the judiciary is very low. Similarly, attitudes toward public administration are also mostly negative. The lack of trust is, among other things, caused by the complicated procedures, the uncertain outcome (for undisputed issues) and especially the lack of giving adequate and clear legal reasoning for the specific decision. In this sense, taking into consideration various examples for improving the performance of the judiciary could be beneficial. For example, devising a different system for case management, the process of which should reflect on length, prioritizing, as well as the involvement of the judges and administrative officials.

11. Harness the power of diverse internet channels for information, advice and resolution

Only 9% of respondents used the internet to resolve their legal problem, which is low for a country like North Macedonia. However, the internet presents a significant potential for providing legal services and dispute resolution. There are already examples of public and private services that increase access to justice in North Macedonia and other countries. The country has enough creativity and entrepreneurial potential to bridge a significant portion of the justice gap. What

is needed is strong and committed leadership from national justice leaders. This leadership could be demonstrated through a strategy (see point 1 above), focusing on the most frequent and serious legal problems (see point 4 above).

12. Establish and operate an integrated online database where all key information concerning court and administrative procedures is publicly available;

Access to justice policies should be based upon valid and reliable data. It is necessary that there is an integrated online database where all key information concerning court and administrative procedures will be processed and published. The data processed should be focused on the types of cases, types of litigants, duration, outcome and value. Institution-generated data can include information on various types of cases, the use of legal assistance services, the number of unrepresented parties before the courts and tribunals, use of ADR mechanisms that are connected to the formal justice system.

13. Introduce satisfaction surveys by legal aid providers, mediators and other ADR mechanisms

This type of surveys can complement the administrative data and the assist in understanding the extent of legal need by contributing a picture of the demographic groups that access particular legal services, the nature of their expressed legal needs, the pathways they follow and the outcomes they achieve. This methodology differs from legal needs surveys and assessments as it collects information on legal needs after a case has already reached a particular institution.

14. Amplify the promotion of the Law on Free Legal Aid to low-income individuals and other marginalized groups

Almost 2/3 of the respondents were not aware of the existence and the rights that the Law on Free Legal Aid may provide and protect. Around 20% of respondents knew that such a law exists though not acquainted with the details. Slightly more than 10% of the respondents were aware of the criteria and the procedures. Although significant efforts have been made for promotion, it is necessary to continue with awareness-raising activities using specific channels that will ensure that the information will reach the target groups.

15. Strengthen activities for the increase of legal literacy among the population.

The study has shown that underreporting is linked to individual capacities and awareness to recognize and identify the existing legal problem. In this sense, programs that support individuals need to be supported, from legal education to community legal aid services that would be able to provide tailored support to citizens. Additionally, the introduction of some basic information about recognizing and acting upon violation of rights should be part of the educational curriculum, especially in secondary school. This should contribute to increasing citizens' overall understanding of the legal system, and in particular citizens' knowledge of their rights, obligations, remedies, and procedures for resolving justiciable problems. The study clearly identifies that there is a serious need for increased citizens' knowledge in order to support their legal empowerment. In this sense, mainstreaming active citizenship curricula across public education will be crucial.

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